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NEW EDITION

OF THE

BABYLONIAN TALMUD

Original Text, Edited, Corrected, Formulated, and Translated into English

BY

MICHAEL L. RODKINSON

SECTION MOED (FESTIVALS)

TRACT PESACHIM (PASSOVER)

Volume V.

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EXPLANATORY REMARKS.

In our translation we adopted these principles:

1. *Tenan* of the original—We have learned in a Mishna; *Tania*—We have learned in a Boraitha; *Itemar*—It was taught.

2. Questions are indicated by the interrogation point, and are immediately followed by the answers, without being so marked.

3. When in the original there occur two statements separated by the phrase, *Lishna achrena* or *Waïbayith Aema* or *Ikha d'amri* (literally, "otherwise interpreted"), we translate only the second.

4. As the pages of the original are indicated in our new Hebrew edition, it is not deemed necessary to mark them in the English edition, this being only a translation from the latter.

5. Words or passages enclosed in round parentheses ( ) denote the explanation rendered by Rashi to the foregoing sentence or word. Square parentheses [ ] contain commentaries by authorities of the last period of construction of the Gemara.

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NEW YORK, APRIL THE 6TH, 1898, THE EVE OF PASSOVER.

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* We were told that some readers made reference to the synopsis instead of to the text. We have therefore, in the synopsis of this tract, omitted all conclusions. We will do so, likewise, in the future.

TRACT PESACHIM (PASSOVER).

CHAPTER I.

REGULATIONS CONCERNING THE REMOVAL OF LEAVEN FROM THE HOUSE ON THE EVE OF PASSOVER AND THE EXACT TIME WHEN THIS MUST BE ACCOMPLISHED.

MISHNA: "Or" (by light) on the fourteenth (of Nissan), search should be made for leavened bread by the light of a candle, but it is not necessary to search all places in which it is not usual to put leaven. [Why then was it ordered, that two rows (of barrels) should be searched? Because a warehouse or wine cellar is treated of, into which leavened bread is sometimes carried.] Beth Shammai decide "that search must be made between two rows of barrels over the whole surface of the warehouse"; but Beth Hillel decree: It is sufficient to search between the two uppermost rows, as they are also the highest.

GEMARA: What is meant by "Or"? Said R. Huna: "The dawn of day," and R. Jehudah said: "Night." At the first glance it was presumed that the word "Or" was actually explained by R. Huna to mean "the break of day," and by R. Jehudah to mean "night."

An objection was made, however, based upon the passage [Genesis xliv. 3]: "As soon as the morning was light ('Or') the men were sent away," etc. Thus we see that "Or" means "day"? Does then the passage say in the light of the morning? it says distinctly "when the morning was light," which means when the morning was already light, the men were sent away.

Another objection was made: It is written [II Samuel xxiii. 4]: "And as in the light of morning the sun riseth," whence we see that by light is meant "day." Does it then read in the passage "Or Boker" (light is morning)? It reads "Uchor Boker," which means "as the light of the morning," and this should be understood thus: "As the light of the morning on

this earth; so will the sun shine for the righteous in the world to come."

Another objection was made: "It is written [Gen. i. 5]: 'And God called the Or (light) Day,' whence we see, that light (Or) is day?" The passage means to say, that just as soon as it dawned the Lord called it "day."

Another objection was made: "It is written [Psalms cxlviii. 3]: 'Praise him, all ye stars of light (Or).' Whence we see that Or means night?" The passage means to say, "Ye stars that light."

Another objection was made: "It is written [Job xxiv. 14]: 'With the earliest light (Le-Or) riseth the murderer, he slayeth the poor and needy, and in the night he becometh like the thief.' Now, if the latter part of the passage states 'in the night he becometh like the thief,' then the first part must certainly mean to state, that at break of day the murderer slayeth those that pass by, while at night he robbeth houses like the thief. Whence we see that 'Or' means day?" The passage means to say the following: "If it is as clear as day to thee that the murderer cometh to slay thee, thou mayest slay him in self-defence; but if it is doubtful to thee whether he comes to slay thee or not, thou shouldst treat him as an ordinary thief and try not to slay him."

Another objection was made: "It is written [Job iii. 9]: 'Let the stars of its twilight be darkened; let it hope for light, and there be none.' Thence we see that by light (Or) is meant day?" The passage means to infer, that Job when cursing his fate, said also, that the man who announced his birth should hope for light and not be able to find it.

Another objection was made: "It is written [Psalms cxxxix. 11]: 'Surely darkness shall enshroud me, and into night be turned the Or (light) about me.' Whence we see, that by light (Or) is meant day?" In this passage David means to express the following: I thought, that in the world to come, which is equal to daylight, darkness will enshroud me, and now I find that even on this earth (which compared to the world to come is as night) it has also become light for me.

Yet another objection was made: "We learn further on in the Mishna: R. Jehudah said: 'Leaven should be searched for "Or" on the fourteenth, and in the morning of the fourteenth and at the time when the leaven is about to be burned.' If then R. Jehudah says, that on the morning of the fourteenth

leaven should be searched for, and preceding that he says 'Or' on the fourteenth, 'Or' must certainly mean 'night'?" Therefore we must say, that it is not as was presumed at the first glance to be the case, that R. Huna differed with R. Jehudah concerning the time of searching for leaven, but that both agreed upon twilight as being the proper time for that purpose, and by "Or" is meant "night," but the case was simply this: At the place where R. Jehudah resided twilight was called night, while in R. Huna's place of abode twilight was still called (day)light.

If this is so, why did the Tana of our Mishna commence with the word "Or"? Could he not have said plainly "on the eve"? He wished to commence the Mishna with a pleasing word and not with one suggesting darkness, and this is as R. Jehoshua ben Levi said elsewhere: At no time should a man allow an ill-sounding word to escape from his mouth; for the following verse used eight superfluous letters in order to circumvene the use of one ill-sounding word, as it is written [Gen. vii.]: "Of the clean beasts, and of the beasts that are not clean." Thus instead of using the word unclean (Hatmeah), it is written "that are not clean," which makes a difference of eight letters.*

Now if the question concerning the word "Or" has been finally decided and "Or" is supposed to mean "twilight," let us see why leaven must be searched for at night. Both according to R. Jehudah and R. Meir (as will be seen further on) it is prohibited to eat leavened bread from the sixth hour, and further, of the fourteenth of Nissan, let the time for searching commence at that hour. If the claim be made, that pious men seek to fulfil a religious duty even before the specified time, let them commence to search for leavened bread at sunrise on the fourteenth; but why at night? Said R. Na'hman bar Itz'hak: "This was ordained, because at twilight the men are generally in the house and the light of a candle at that time is the best means by which to search for leavened bread."

Said Abayi: Therefore a young scholar should not commence his study at twilight on the thirteenth of Nissan, as he might become engrossed in the ordinances and forget to search for leaven.†

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* There is a difference of eight letters in the Hebrew original, and by a strange coincidence there is the same difference in English.

† These last two paragraphs are in the old edition, contained on page 4 *a*.

The master said: "A man should not allow an improper word to escape his lips."

Two disciples sat before Rabh: One of them said to him: "To-day's study of the ordinances made me as tired as a hog." The other one said: "To-day's study made me as tired as a tired goat." From that day on Rabh did not speak to the first of these disciples.

Two disciples (also) sate before Hillel, and one of them was R. Johanan ben Zakai. According to another version: Two disciples sate before Rabbi and one of them was R. Johanan. One of them asked: "Why must wine be pressed with clean utensils and olives do not require clean utensils?" The other disciple at some other time inquired: "Why must wine be pressed with clean utensils whereas for oil unclean utensils may be used?" Whereupon the master remarked: "I am certain that the one who put the former query to me will very shortly be empowered to decide legal questions in Israel." As a matter of fact, it was not long after when this came to pass.

There were three priests. One of them said: "My share (of the showbreads) was about the size of a bean." The other said: "My share was about the size of an olive." And the third one said: "My share was about the size of a lizard's tail." When the language of the last was heard, an investigation was made, and it was found that he was not a genuine priest.

There was a certain Aramæan who was wont to come to Jerusalem every Passover and, representing himself to be an Israelite, would partake of the paschal lamb. When he came back home in the city of Nisibis, he said to R. Jehudah ben Bathyra: "In your Law it is written [Exod. xii. 48]: 'But no uncircumcised person shall eat thereof.' Yet I go to Jerusalem every year and eat of the best of the paschal lamb." Said R. Jehudah ben Bathyra to him: "Did they then give thee some of the fat of the tail?" and he answered: "Nay." So R. Jehudah advised him when he should go there again to ask for it. When the Aramæan came to Jerusalem the following year, he asked that he be given some of the fat of the tail. Said they to him: "Who told thee that thou couldst have it? Is not the fat of the tail sacrificed on the altar?" and he answered them: "R. Jehudah ben Bathyra told me." Said they: "What does this mean?" (Surely R. Jehudah knoweth that this cannot be.) Accordingly an investigation was made and it was found out that the man was an Aramæan, and not an Israelite, and he was pun-

ished for the deception. To R. Jehudah ben Bathyra, however, they sent the following message: Peace be with thee, R. Jehudah ben Bathyra, who sittest in Nisibis and castest thy net in Jerusalem.

R. Kahana became ill. So the sages sent R. Jehoshua the son of R. Idi to find out what ailed R. Kahana. He came and found that R. Kahana's soul had already passed to its rest. R. Jehoshua accordingly made a rent in his garment, but made it so that it could not be perceived, and came back weeping. The sages asked him: "Is the soul of R. Kahana gone to its rest?" and he answered: "Yea, it is; but I did not care to tell of it; for it is written [Proverbs x. 18]: 'He that spreadeth abroad an evil report is a fool.'"

Johanan of Hakukah (according to Rashi and Tosphath, but according to Rabbenu Hananel Johanan the Scribe) went out into the villages. Upon his return he was asked whether the wheat-crop was a success. He answered: "Barley is plentiful." They rejoined: "Go and report that to the horses and asses, as it is written [I Kings v. 8]: 'The barley and the straw also for the horses,'" etc. What then should Johanan have said? He ought to have said: Last year's crop was good or lentils are plentiful (*i.e.*, spoken of something fit for human beings to eat).

There was a man who used to go about and at every opportunity would say "Dono Dini" (Judge ye my judgment). Whence it was inferred that the man was one of the tribe of Dan, concerning whom it is written [Gen. xlix. 16]: "Dan shall judge his people, as one of the tribes of Israel."

There was another man who continually used to say: "On the edge of the sea will I build my palaces." It was said, that the man was probably of the tribe of Zebulon, concerning whom it was written [ibid. 13]: "Zebulon shall dwell at the edge of the seas."

A question was propounded to R. Na'hman bar Itz'hak: "If a man let a house to another on the fourteenth (of Nissan), who of the two men must search for leavened bread? Shall we say, the one who let the house, because whatever leavened bread there may be in the house is his, or that the renter must search for it, because it will be found in his domicile?" Answered R. Na'hman bar Itz'hak: "This was taught in a Boraitha, viz.: If a man let a house to another and have not yet delivered the keys before the fourteenth of Nissan, he must

search for leavened bread; but if the keys were delivered on the fourteenth, the renter must search for it."

Another question was propounded to the same R. Na'hman: "How is it, if a house was rented on the fourteenth (of Nissan) (and it is not known whether the leavened bread had been searched for or not), shall we assume, that if the house was rented from an Israelite, there is no question, but that the leavened bread had been searched for on the preceding night, or shall we not assume such to be the case?" ["What question was this: Let the man who let the house be asked." "In case the man who let the house could not be found] must the renter be troubled to go and search for leavened bread under those circumstances or not?" and R. Na'hman replied: "We have learned this in a Boraitha: 'All persons are credited if they assert, that the leavened bread was removed, even women, slaves, and minors.'" Why are they credited? Because the probability is that such was the case; and the entire law concerning the search for leavened bread is merely a rabbinical institution, the biblical law holding it to be sufficient, if the use of the leavened bread was renounced in thought only; hence where a rabbinical regulation was concerned, anyone testifying that it had been complied with, was credited by the Rabbis.

The schoolmen propounded a question: "If a man let a house to another and told him, that he had already searched for leavened bread; but it was subsequently proven, that he had not, what is the law governing this case? Shall we say, that the renter may on that ground withdraw from his agreement (and not rent the house), or that the agreement is nevertheless binding?" Come and hear: Abayi said: "Not only in such places where the search for leavened bread is not paid for is the agreement binding, because it is more satisfactory to a man to perform a religious duty himself; but even in such places, where men are hired and paid to make search for leavened bread, the agreement is binding, because it is more pleasing to a man to accomplish a religious duty with his own money."

Said R. Jehudah in the name of Rabh: "One who finds leavened bread in his house on the festival (of Easter) should cover it with a vessel (because it must not be handled)." Said Rabha: If the leavened bread was not his property but was consecrated, he need not even cover it with a vessel (because the article being consecrated there is no fear of its being eaten, and people as a rule keep away from consecrated things).

The same said again in the name of the same authority: "If there was leavened bread belonging to a Gentile in the house of a man, he should make a partition ten spans high as a sign that it should not be touched, but if the leavened bread was consecrated he need not make that partition (because the bread being consecrated there is no fear of it being eaten)."

He said again in the name of Rabh: "One who leaves his house to go to sea or to go with a caravan prior to thirty days before the Passover, he need not search for leavened bread; but if he goes away *within* the thirty days preceding the Passover, he must burn the unleavened bread in his house." Said Abayi: "A man who leaves his house within the thirty days preceding Passover must burn the unleavened bread if his intention is to return on the Passover, but if such is *not* his intention, he need not do this," and Rabha rejoined: "If a man leave his house and intend to return *on the Passover*, he must burn the unleavened bread even on the New Year day. Why only if he leave within the thirty days before Passover? Therefore," explained Rabha, "the rule that one need not search for the unleavened bread if he leaves prior to thirty days before Passover applies to one who does not intend to return on Passover, but if his intention is to return on Passover, he must do this even if he leaves on New Year day." And Rabha decrees thus in accordance with his theory elsewhere, namely: If one turned his house into a warehouse prior to thirty days before Passover and there was leavened bread in that house, he need not search for it (because, when the Passover arrives, the leavened bread will lie underneath the grain stored in that warehouse); but if he did this within thirty days preceding Passover, he must search for leavened bread (notwithstanding the fact that it will lie underneath the grain; for during these thirty days the duty to search for leavened bread is already incumbent upon him, whereas prior to that time he was not even supposed to think of removing the leavened bread). Concerning the statement, that one need not search for the leavened bread if he turned his house into a warehouse prior to thirty days before Passover, it holds good only if he did not intend to do this before Passover; but if he did intend to turn his house into a warehouse before Passover, he must search for the leavened bread even then.

Why are thirty days particularly specified? It is as we have learned in a Boraitha, viz.: "One may inquire and preach concerning the laws of Passover thirty days previous to that festi-

val." R. Simeon ben Gamaliel said: "Two weeks before." (Why does the first Tana prescribe thirty days?) Because Moses at the time of the first Passover already made the regulations concerning the second Passover (which was celebrated thirty days later), as it is written [Numbers ix. 2]: "That the children of Israel shall prepare the Passover lamb at its appointed season," and [ibid. 10 and 11]: "Speak unto the children of Israel," etc. . . . "In the second month, on the fourteenth day," etc. Why, then, does R. Simeon ben Gamaliel not agree with the first Tana? Because he holds, that Moses only enacted those regulations because it was Passover (yet this should not be made a general rule; hence two weeks are sufficient).

R. Jehudah said in the name of Rabh: "He who searches for the leavened bread must at the same time renounce its use in his mind." Why so? On account of the crumbs? Those are of no value! Said Rabha: The reason is, lest he find a useful piece of bread and will not care to burn it (in which case should he even hold it for one second he will transgress the law of "There shall be no leavened bread in thy house," etc.). Can he not renounce its use as soon as he perceives it? It may be, however, that he will not find it until it is too late to renounce its use, for R. Elazar said: "Two things are without the province of man; but the Law made him responsible for them nevertheless, as if they were his property, and they are: A pit in public ground (concerning which a man is responsible if another falls into it as explained in Tract Babah Kamma) and leavened bread after the sixth hour (on the fourteenth of Nissan); although the bread is no more in his possession, still he is responsible for it."

Let the man then renounce the use of the bread in the fourth or fifth hour? As that is not the time either for searching or for burning, there is fear lest a man forget to do this at that time. Let him renounce its use then in the sixth hour, when he is about to burn it. (This being according to a rabbinical enactment illegal, makes it the equivalent of a biblical prohibition?) (As R. Giddel said in the name of Rabh. Vide Chap. II., page 31.)

It is said, that after the prohibition to use bread had already gone into effect, it is not allowed to renounce its use, have we not learned in a Boraitha: "If a man sate in the house of learning and was suddenly reminded that he had not removed the leavened bread from his house, he may renounce its use in thought,

whether this happened on a Sabbath or on a festival?" This would be correct if the eve of Passover fell on a Sabbath; but how can this be done on the festival itself (for it is already Passover and the leavened bread is no longer the property of the man, how then can he renounce its use)?

Said R. A'ha bar Jacob: The case referred to is that of a scholar who sits before his master (and cannot leave without his consent) and having been reminded that there is some dough still in his house, which would shortly become leaven, he may renounce its use before it becomes leaven. This can be inferred from the Boraitha itself, which distinctly states "if a man sate in the *house of learning*" (and if he had leavened bread in the house, what difference would it otherwise make, whether he sat in the house of learning or elsewhere)? Hence the inference.

Rabba bar R. Huna said in the name of Rabh: "If musty bread was found in a chest used for unleavened bread and for leavened bread, and the chest was used more for unleavened bread than for leavened, the musty bread may be used." How was the case? If it was known that this bread was leavened, it would not be of any consequence that the chest was used more for unleavened bread; but if it was not known whether that bread was leavened or not, why say, that the chest was used *more* for unleavened bread? The question at issue would then be for what purpose it was used last—for leavened or unleavened bread. The use it was put to last is the main issue, as we have learned elsewhere (Tract Shekalim, Ch. VII., Mishna 2) concerning money found in Jerusalem: "If found during the festivals, it is regarded as second tithes, and if at other times of the year, it is ordinary money"; and R. Shemaya bar Zera said: "If money was found on the day following the festivals, why should it not be considered second tithes, because the markets of Jerusalem were as a rule swept daily?" whence we see, that the last contingency is the one to be considered, why not apply this to the case of the musty bread? In the case of musty bread it is different. The very fact of its having become musty is sufficient evidence that it was not of recent use. Of what benefit then would it be to ascertain that the chest had been used more for unleavened bread than for leavened? If the bread is musty it is no doubt leavened bread? Said Rabba: Do not say, that Rabh meant to state, "if the chest was used more for unleavened than for leavened bread, but the days on which unleavened

bread was used outnumbered those on which leavened bread had been previously used." If so, the case would be self-evident. Why does Rabh come to tell us this? Rabh means to state, that because the bread was very musty it might be assumed that it had been left over from the leavened bread, and he would tell us that this is not so, but that it may have been an instance of where unleavened bread had been baked on the first day of Passover and a piece was thrown into that chest, thus becoming musty.

R. Jehudah said: "He who searches for leavened bread must pronounce a benediction." How should he pronounce the benediction? R. Papi said in the name of Rabha: "Blessed be He, etc., who commanded us to remove the leavened bread," and R. Papa said in the name of Rabha: "Blessed be He, etc., who hath commanded the removal of leavened bread." Concerning the benediction which reads "commanded us to remove," etc., all agree that the words "to remove," signify an act which may be performed later; but as for the benediction "commanded the removal," R. Papi holds that "the removal" signifies an act already accomplished, while R. Papa maintains that it may refer to an act about to be accomplished. The Halakha prevails, that the benediction must be pronounced upon "the removal" (in the same manner as the benediction upon "circumcision").

All agree, however, that the benediction must precede the act. Whence do we adduce this? Because R. Jehudah said in the name of Samuel: "Benedictions must be pronounced prior to the performance of every religious duty." And the disciple of Rabh (R. Hisda) said: "In all cases with the exception of (legal) bathing, in this instance the benediction should be pronounced after the act." So have we also learned in a Boraitha: "When a man had bathed and is ready to depart, he should say: 'Blessed be He, etc., who has ordained for us (the law of) bathing.'"

"*By the light of a candle.*" The Rabbis taught: Search for leavened bread must not be made by the light of the sun, of the moon, or of a flame of fire, but only by the light of a candle; because the light of a candle is efficient for search, and although we have no actual foundation for this regulation, still we are given a hint to that effect in the passage [Exod. xii. 19]: "Seven days no leaven shall be found in your houses," and it is written [Genesis xliv. 12]: "And he searched, at the eldest he began,"

while [in Zephaniah i. 12] it is written: "And it shall come to pass at that time that I will search Jerusalem through with lights (candles)"; [Proverbs xx. 27] it is also written: "A lamp of the Lord is the soul of man, searching all the inner chambers of the body." (Hence as it is written in the first quotation "it shall not be found," and in the latter quotations searching is mentioned in connection with lights (candles), the hint is derived from those passages.)

Under what circumstances shall search not be made by the light of the sun? Shall we say in the case of a court? Did not Rabha say, that in a court no search need be made, because the crows consume what leavened bread may be found there? In the case of a balcony? Did not Rabha say, that on a balcony one may search by the light of the balcony itself? The injunction against using the light of the sun is applied to a window of a room, namely: At the window proper search may be made by the light entering through the window, but at the sides this cannot be relied on and a candle must be procured in order to conduct a proper search.

Not even a flame of fire may be used? Did not Rabha say, referring to the passage [Habakkuk iii. 4]: "And (his) brightness was like the sunlight; rays streamed forth out of his hand unto them: and there was the hiding of his power." "The righteous as compared with the Shekhina appear as the light of a candle to a bright flame; and concerning the benediction to be made at the close of the Sabbath-day which is pronounced over a light, he said, that a bright flame is more conducive to the efficient fulfilment of that duty?" (Why then should a flame not be permitted for the search?) Said R. Na'hman bar Itz-'hak: "A candle may be applied to a hole or a crack in the wall, whereas a flame cannot be moved to such a place."

"*It is not necessary to search all places in which it is not usual to put leaven,*" etc. What would the Mishna mean to add by stating "*all* places"? The Mishna means to add what was taught by the Rabbis: "The uppermost or nethermost holes in a house, the roof of an attic, the roof of a tower, a stable of oxen, a chicken-coop, a straw-shed, and the cellars where wine or oil is kept need not be searched." R. Simeon ben Gamaliel said: "A bed, which is placed in a room so that it divides the room into two parts and is so high that the space underneath it is used, must be searched."

A contradiction was interposed, based upon the following

Boraitha: We have learned: A hole through a wall standing between two houses must be searched by the householders of each house as far as they can reach from their respective sides, and the space which they cannot reach, they must renounce in their minds. R. Simeon ben Gamaliel said: "A bed dividing a room into two parts, and having underneath it stones and wood though there still be space left between the stones and the bed, need not be searched."

Thus there is a contradiction both regarding the hole in the wall as well as the bed? This presents no difficulty: As for the hole, one that should be searched is a hole in the centre of the wall, while the Boraitha refers to an uppermost and a nethermost hole, and as for a bed, one that is very high and has a great deal of space underneath it should be searched, while one that has but little room underneath need not be searched.

Wine cellars need not be searched? Have we not learned in a Boraitha that cellars where oil is kept need not be searched, but those containing wine *must* be searched? In this case wine cellars are spoken of, that are used during meals, while in the other instance wine cellars that are only used for storage are referred to. If those that are used only, must be searched, why should cellars where oil is kept be exempt? Because there are fixed times for meals and oil is used only during meals, while wine is constantly in use and the cellars are therefore frequently entered.

R. Hisda said: The place where salt fish are kept need not be searched. Did a Boraitha say that it need be searched? This presents no difficulty. The Boraitha refers to the places where small fishes are kept (*i.e.*, it usually happens that during a meal one goes to bring more fish while having bread in his hands. R. Hisda, however, refers to a place where large fishes are kept, because usually one knows the quantity of fish he requires for the whole meal, and there is no need of getting up during the meal to bring more fish.) Rabba the son of R. Huna said: The places where salt and wax candles were kept must be searched (because it often happened that during a meal salt and candles were needed). R. Papa said: The places where wood and dates were kept needed also to be searched (because it happened that during a meal one might go for wood and by the end of a meal, go for dates). A Boraitha taught: That a man was not compelled to put his hand in a hole to search for leaven as it might be dangerous.

R. Hyya taught: "The beer* cellars of Babylon were put on a par with the wine cellars of Palestine if they were frequently used."

["*Why then was it ordered, that two rolls of barrels should be searched?*" Where is a cellar mentioned in the Mishna, that barrels should be discussed? The Mishna means to state as follows: "In all places, where it is not usual to put leaven, it is not necessary to search for leavened bread, and cellars of wine or of oil need not be searched." Why then were two rows of barrels ordered to be searched? If leavened bread was brought into such cellars and used there.]

"*Beth Shammai decide that search must be made between each two rows,*" etc. R. Jehudah said: "The two rows mentioned are those from the ground to the ceiling, *i.e.*, the first two rows facing the door of the cellar," and R. Johanan said: The two rows mentioned are one from the ground to the ceiling and one on the top of the pile in the form of a (Greek Gamma) Γ.

We have learned a Boraitha supporting R. Jehudah, viz.: "Beth Shammai said: 'Between two rows over the whole surface of the cellar' and those two rows are from the ground to the ceiling."

We have learned another Boraitha supporting R. Johanan, viz.: "The two rows are over the whole surface of the cellar. One row faces the door and the upper row faces the ceiling. The remaining rows behind the one facing the door and those underneath the row facing the ceiling need not be searched."

"*Beth Hillel decree: 'It is sufficient to search between the two uppermost rows,'*" etc. Said Rabh: "Beth Hillel mean only one row not over the whole surface of the cellar, but one that faces the ceiling and the door, and another row beneath it facing the door only." But Samuel said: "Beth Hillel mean one row over the entire surface of the cellar and another row beneath it." Why do they differ? Because Rabh lays stress upon the word "uppermost" in the Mishna, which he explains as previously mentioned. [It says also "as they are also the highest," so there should be *two* highest. The Mishna calls them highest in order to contrast those beneath them, which are the lower], whereas Samuel lays stress upon the word "highest." [It also says "uppermost." These are called "uppermost" to distinguish them from those beneath them which also face the door] hence he explains the Mishna as above.

* The beer of the Babylonians was made from dates.

R. Hyya taught in accordance with Rabh's opinion and all the other sages taught in accordance with Samuel's opinion. The Halakha prevails according to Samuel.*

MISHNA: (And) it need not be suspected, that a weasel have dragged any leavened bread from (one corner that had not been searched to one that had); from one house to another or from one place to another; for if so, the same suspicion might apply to a (possible) removal from one court to another, or even one city to another, and thus make the search an endless task.

GEMARA: This applies to a case where it was not observed that the weasel had dragged the bread; but if it was observed, the search must be made over again? Why should this be so? Let it be presumed, that the weasel consumed the bread.

Have we not learned in a Mishna (Tract Ohaloth): The dwellings of the heathens must be considered unclean (because it was supposed, that they buried their miscarriages in their dwellings), and how long must the heathen have dwelt in such a dwelling in order to render it unclean? Forty days, even if he had no wife; if, however, when the dwelling was vacated, it was left open so that cats and swine entered it, its uncleanness need not be even investigated. (It is certainly clean, because even should there have been such a thing as a fœtus contained therein, the cats or the swine had no doubt already devoured it. Whence we see, that the supposition of the cats having devoured the unclean object renders the investigation unnecessary, why then should in our case the fact that the weasel had carried off the bread not eliminate the necessity of another search?) Said R. Zera: "This presents no difficulty; in the case of the heathen's dwelling, the uncleanness was caused by flesh, and it is not probable that any of it was left over, but where bread is concerned, it may be that some of it was left."

Said Rabha: "What question is this? In the case of the heathen's dwelling there is a twofold supposition. Firstly, the question is whether a fœtus was buried in the dwelling. Secondly, assuming such to be the case, the supposition that it was devoured enters, while in our case, if the weasel was observed carrying out the bread, so much is certain, and there is merely the supposition that it was devoured and a supposition cannot emanate from an established fact."

Our Mishna states: "It need *not* be suspected," etc. Why

* This last sentence is according to others not contained in the earlier editions, and hence the questions on this point are decided according to Rabh.

then does the succeeding Mishna enjoin, that "whatever remains must be well guarded"? Said Rabha: "By 'whatever remains must be well guarded,' the Mishna means to provide against a weasel coming and dragging it away before our eyes, in which event another search will have to be instituted."

We have learned in a Boraitha in support of Rabha's dictum: "Whosoever wishes to eat Chometz (leavened bread) after the search, should take what he has left over after the search and keep it in a well-guarded place lest a weasel come and carry it off before our eyes, in which case another search will be necessary."

R. Mari said: There is apprehension, if a man have ten pieces of bread left over and finds subsequently only nine, that another search will have to be instituted. (Therefore what remains should be kept in a well-guarded place.)

If there were nine heaps of Matzoth (unleavened bread) and one heap of Chometz and a mouse came along and took a piece of one of the heaps, but it is not known whether it was of a heap of Matzoth or Chometz, the same law applies to this as to the case where there were nine shops dealing in (ritually) slaughtered cattle and one shop dealing in carrion, and a man having bought some of the meat could not tell in which place he had bought it; in that case the meat must not be eaten (notwithstanding the fact that the majority of shops dealt in slaughtered cattle). If, however, meat was found near the shops, it is presumed to be of slaughtered cattle (because the probability is that one of the majority lost it). (The same is the case in the instance of the above-mentioned nine heaps of Matzoth.)

If there were only two heaps, one of which was Matzoth and the other Chometz, and two mice came along and taking a piece each of the two heaps ran into two different houses, in one of which search had already been made, while in the other it had not yet been made. If it was not noticed which mouse ran into the searched house, the one carrying Chometz or the other carrying Matzoth: It must be presumed, that the mouse carrying Chometz entered the house that had not yet been searched; because we have been taught in a Boraitha referring to such a case as follows: If there were two heaps of grain, one being heave-offering and the other ordinary, and opposite there were two measures, one containing heave-offering and the other ordinary grain, and the heaps had fallen into the measures, but it was not known which had fallen into which, we must presume that the

heave-offering had fallen into the measure containing heave-offering and the ordinary had fallen into the measure containing ordinary. [It might be said, however, that in these days heave-offering is merely the offspring of rabbinical law while Chometz is based upon biblical law (hence should be surrounded with more caution)! Nay; is then searching for Chometz biblical? According to biblical law renouncing the use of Chometz is sufficient.]

How is it, however, if there was but one heap and that was Chometz, while there were two houses both of which had been searched and a mouse had carried some of that Chometz into one of the houses; but it was not known into which? This presents an analogous case to two roads, one of which was clean and the other unclean and two men went on those roads but did not know which had taken the clean road and which the unclean. "If they both consecrated grain," said R. Jehudah, "and each one separately comes to inquire concerning the law in his case, they are both considered clean; but if both come together, both are held to be unclean; (for one of them is surely so)." R. Jose, however, said: "In any event both are unclean." Commenting upon Rabha, according to another version, R. Johanan said: "If both come together, all agree that they are held to be unclean; if they come each separately, all agree that both are considered clean; their point of variance, however, is: if one comes and inquires concerning the other also. According to R. Jehudah, it is the same as if each had come separately, while according to R. Jose, it is the same as if both had come together. (The same rule applies to the two houses under consideration.)

How is it, if it was not known whether the mouse that carried off some of the Chometz had entered either of the houses at all? This presents an analogous case to a valley in which an uncleanness was lost, and remains a point of variance between R. Eliezer and the sages. (Tract Teharoth, Chap. VI., Mishna 5.)

If the mouse had entered, however, and the man instituted another search but could not find the Chometz, must he go further and search the next house also? This will present a point of variance between R. Meir and the sages and is analogous to a case where the uncleanness of a place was at issue where the object causing the uncleanness could not be found. (Bechoroth xxv. b).

If the mouse had entered the house and the man when instituting another search had actually found the piece of Chometz

but did not know whether it is the same, that the mouse had carried in or not, it presents a similar case to the one concerning which Rabbi and R. Simeon ben Gamaliel differ, viz.: if a grave was lost and subsequently a grave was found but it was not known whether it was the same grave or not [ibid. ibid.].

If a man had left over nine pieces of bread and found ten, it again presents an analogous case to the point of variance between Rabbi and the sages concerning a case where a man had deposited one hundred coins and found two hundred. According to one opinion it is all ordinary money and according to another it is ordinary and second-tithe money combined.

If a man had left over ten pieces and only found nine, it again presents a point of variance between Rabbi and the sages similar to the case where a man had deposited two hundred coins as second-tithe and subsequently only found one hundred. According to one opinion the remainder is still second-tithe, while according to the other, the remainder is ordinary money; for it is considered as if the two hundred coins had been stolen and another hundred of ordinary money had been left in place thereof.

If the man had left the remainder of the Chometz in one corner and found it in another, according to the sages another search is necessary while according to R. Simeon ben Gamaliel it is not, and it is a similar case to the one in which they differ concerning uncleanness.

Rabha said: "If a mouse entered a house with some Chometz in its mouth and the man going in after it poured crumbs on the floor, he must make another search; because as a usual thing a mouse leaves no crumbs behind; but if a child entered and he finds crumbs when entering after the child, he need not make another, for usually a child leaves crumbs behind it."

Rabha propounded a question: "If a mouse entered a house and another came out of the same house and both had pieces of Chometz in their mouths, shall we presume that it was the same mouse in both cases or not? If it should be said, that it *is* the same, how is it if the mouse entering was black and the other was white, shall we assume that one took the piece of bread away from the other or that there were two separate pieces of bread? If you will say that one mouse would not take anything away from another, how would it be if a mouse entered with the piece of bread and a cat came out with a piece of bread? If we presume that the piece of bread is the same, would the cat not

have held the mouse in its mouth also? If then, you say, that the piece of bread was a different piece, how would it be if the cat came out with the mouse and the piece of bread in its mouth? Shall we say that it is the same piece of bread and, the mouse having dropped it through fright, the cat picked it up, or that were it the same piece of bread the mouse would have had it in its mouth?" This question is not decided.

MISHNA: R. Jehudah said: "Search (for Chometz) should be made on the evening ('Or') before the 14th (of Nissan), early on the morning of that day and at the time (when all Chometz must be removed);" but the sages said: "If search had not been made on the evening preceding the 14th (of Nissan), it may be made on that day; if neglected on that day, it may be made on the festival,* and if omitted even then, it must be done after the festival,† and whatever Chometz is left over, must be kept in a well-guarded place, in order that no further search may become necessary.

GEMARA: What reason has R. Jehudah for his assertion? R. Hisda and Rabba bar R. Huna both say: "He bases his assertion upon the fact that the search or the removal of Chometz is mentioned three times in the Scriptures" [Exod. xii. 15, ibid. 19, and ibid. xiii. 7].

R. Joseph objected: We have learned in a Boraitha: R. Jehudah said, "If he did not make the search at any of these three times, he need not make any search at all. Hence we see that R. Jehudah does not differ with the sages only concerning the necessity of searching after the three stated times had passed." R. Jehudah in reality only means to state that search should be made but once and that at one of the times mentioned, but if the three appointed times had passed he must not make search on the festival, lest he find some leavened bread and eat it; while the sages hold, that he may do so even on the festival and there is no fear of his eating any of the Chometz which he might find.

MISHNA: R. Meir says: "It is lawful to eat (Chometz on the 14th of Nissan) the whole of the first five hours and what remains must be burned at the commencement of the sixth

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* The term used in the Mishna, which we render with "festival," is Moëd, and Rashi explains this to mean "at the appointed time"; but we render it according to the explanation of Tosphath, which is more reasonable.

† The reason that search must be made even after the festival is because the Chometz situated in the house during the festival must not at any time be used.

hour," but R. Jehudah says: "It is only permitted to eat (Chometz) the first four hours; during the whole of the fifth hour this must be abstained from and it must be burned at the commencement of the sixth hour."

R. Jehudah *also* taught: Formerly (during the existence of the Temple) two cakes of thanksgiving-offering which had become desecrated were exposed on a bench (of the Temple). As long as the two cakes remained there, all the people still ate leavened bread; when one of them was removed, they abstained from eating it but did not yet burn it; when both were removed, all the people commenced burning (the Chometz). Rabbon Gamaliel says: Ordinary (Chometz) may be eaten during the first four hours; but heave-offering may still be eaten during the fifth hour; both, however, must be burned at the commencement of the sixth hour.

GEMARA: We see thus, that at the commencement of the sixth hour, all agree, Chometz must be burned.* Whence do we adduce this? Said Abayi: From two passages, viz. [Exod. xii. 19]: "Seven days no leaven shall be found in your houses," and [ibid. 15]: "But on the first day ye shall have put away leaven out of your houses." According to this, then, on the first day there would still be leaven in the house and this would be contrary to the ordinance of the first passage? Hence we must say, that by "the first day" is meant the day preceding the festival. Then why say the sixth hour? Say that already early in the morning of the day preceding the festival (leaven should be burned). The word "but" with which the passage commences divides the day into two parts, so that in the morning leavened bread may be eaten while in the afternoon it must not.

The disciples of R. Ishmael taught: The reason that Chometz must be removed on the 14th (of Nissan) (the eve of Passover) is because that day is referred to as the first day (of the festival) in the passage [Exod. xii. 18]: "In the first, on the fourteenth day of the month, at evening shall ye eat unleavened bread," etc.

Rabha said: "The reason may be inferred from the passage [Exod. xxxiv. 25]: 'Thou shalt not offer the blood of my sacrifice with leaven; neither shall be left unto the morning the sacrifice of the feast of the passover,' which signifies, that the Passover sacrifice must not be offered up as long as there is yet

* The GEMARA in the original old edition is on pages 4*a* to 6*b*. The proper place for it, however, is here.

leaven." If that be the case, then it might be said that the leaven should be burned by each man immediately before offering his passover sacrifice; why designate the sixth hour? The passage means to state, that when the *time* for the Passover sacrifice arrives, there must no longer be any leaven on hand.

We have learned in a Boraitha in support of Rabha: It is written: "But on the first day ye shall have put away leaven out of your houses," and by the first day is meant the day preceding the festival. Whence do we know this? Perhaps the first day of the festival is meant? Nay; for there is another passage stating: "Thou shalt not offer the blood of my sacrifice with leaven," which signifies, that the Passover sacrifice must not be offered up while there is yet leaven on hand. So said R. Ishmael. R. Aqiba, however, said: "The second passage quoted is not necessary, for it is written, 'But on the first day ye shall have put away leaven out of your houses,' and again [Exod. xii. 16]: 'No manner of work shall be done on them'; thus we see that the leaven could not be burned on that day, for is not burning one of the principal acts of labor."

R. Jose, however, said: R. Aqiba's additional passage is not necessary either; for it says "But," and that "but" signifying that the day must be divided, if the first day were the first day of the festival, how could it be divided? No leaven must be eaten at any time during the festival proper. (If it should be said), that eating leaven only is prohibited but removing or burning it is permitted even on the first day, it would not be correct; for removing leaven is mentioned at the same time as the prohibition to eat leaven bread and at the same time also it is ordered that unleavened bread be eaten, whence we see, that at the time when Matzoth should be eaten no leaven must be on hand. Matzoth must be eaten on the evening of the 14th, hence no leavened bread must be on hand at the time. In consequence the "but" signifies the division of the day preceding the festival.

Rabha said: "Three things may be inferred from the words of R. Aqiba, and they are: Firstly, that R. Aqiba holds according to the opinion of R. Jehudah, that Chometz can be removed only by burning it; secondly that he holds with the opinion of R. Nathan, that the additional commandment not to kindle a fire on a Sabbath was taught for the sake of separation (of other acts)*; and thirdly, that he does not hold that, because

* *Vide* Tract Sabbath, Vol. I., page 136.

a fire may be made for the purpose of cooking on a festival, it may be also made for any other purpose."

The Rabbis taught: For what purpose is the passage "Seven days no leaven shall be found in your houses" written; it is stated *once* already [Exod. xiii. 7]: "And there shall not be seen with thee any leavened bread, neither shall there be seen with thee any leaven in all thy boundaries"? Because from the latter passage it might be assumed that only such leaven as belongs to the man must not be seen; but leaven belonging to others or such as is consecrated may be seen, and it might also be assumed, that one may hide leaven or may keep for a Gentile leaven intrusted to his care and for that reason the other passage says: "no leaven shall be *found*." Then again it may be presumed, that it is not permitted to receive any leaven from a Gentile living in a different place or one who is not under thy control, but how do we know that it is also not permitted to receive leaven from one who lives in the same house or *is* under thy control? To that end the passage reads "no leaven shall be found *in your houses*." Thus we know that it must not be found in the *houses*, but whence do we adduce that it may not be stored in caves or cellars? From the passage which reads: "Neither shall there be seen with thee any leaven *in all thy boundaries*."

Then again it might be said that if any leaven was found in the houses, one is culpable for transgressing the ordinance relating to "it shall not be seen" nor "found" nor "be hidden" nor "be received from Gentiles," while concerning the boundaries, it might be assumed that one's own leaven must not be seen but that belonging to others or consecrated leaven may be seen; but whence do we know that the ordinances relating to the houses apply also to the boundaries and *vice versa?* To that end the word leaven is repeated. Leaven is mentioned in connection with the houses and also in connection with the boundaries; thus if leaven be found in the house of a man, he is culpable of transgressing the ordinances "it shall not be seen" nor "found" nor "hidden" nor "received from a Gentile"; so is it also in the case of boundaries, and as in the boundaries a man's *own* leaven must not be seen but that belonging to others may; so is it also in the case of houses, a man's own leaven must not be seen, but that belonging to others and consecrated leaven may be seen.

The master said: "It is not permitted to receive any leaven

from a Gentile living in a different place or from one who is not under thy control, but whence do we know that it is also not permitted to receive leaven from one who lives in the same house or *is* under thy control?" How is this to be understood? The question should be to the contrary? Said Abayi: "Read the question in the opposite sense" (*i.e.*, it may be presumed that only from a Gentile living in the same or under thy control leaven must not be accepted, but whence do we know that from one living elsewhere or *not* under thy control it must not be accepted?) Rabha, however, said: The question need not be inverted, because it refers to the first part of the teaching of the Rabbis, which says, that a man's own leaven must not be seen but that of others, or consecrated leaven, may; hence it is said, "that leaven belonging to a Gentile living elsewhere or not under thy control must not be seen, but whence do we know that leaven of a Gentile under thy control may be seen?" Rabha concludes that the leaven of a Gentile under thy control may be seen and does this from the passage which distinctly states that it must not? He does this because the passage contains the words "with thee" twice. The master said: "It might be assumed, that one may keep for a Gentile leaven intrusted to his care, and for that reason the passage says, 'it shall not be found.'" Was it not just said, that leaven belonging to others and such as was consecrated may be seen? This presents no difficulty. Such as a man is not responsible for may be seen, but such as is intrusted to his care is considered as his own and must not be seen, as was said by Rabha to the inhabitants of Mehuzza: "Ye shall remove the Chometz belonging to the government from your houses, because ye are responsible for it and should it be stolen ye must make compensation, hence it is regarded as your own and must not be found in your houses."

This would be correct according to the Tana who holds, that an object which entails a possible pecuniary indemnity is not considered as the property of the one responsible for it; hence a separate passage is required to ordain, that this must not be kept; but according to the Tana who holds such an object to be the property of the one responsible for it (as if he had indemnified its original owner for its loss), why is a separate passage necessary? Because we might assume, that the object not yet being subject to an indemnity it is still the property of another and hence may be seen, we are told that such is not the case.

The Rabbis taught: If a Gentile came into the court of an Israelite (on Passover) with a piece of leaven in his hand, the Israelite is not obliged to insist upon its removal. If the Gentile, however, had given it to the Israelite for safe-keeping, it must be removed. If a special place, however, was provided for such leaven, it need not be removed, because the passage only states, that "leaven must not be found in your houses." Where a special place had been provided, that place is considered as belonging to the Gentile.

"*R. Jehudah says:*" Rabha said: "R. Jehudah's reason for his statement is the fact that he holds that the only manner in which Chometz may be removed is by burning, hence he allows us the fifth hour in order to prepare the wood for the fire." Rabhina objected to this statement: "Have we not learned, that R. Jehudah said removal by burning is only to be effected if the appointed time for the removal had not yet arrived; but if it had, the leaven may be removed by any means whatever?" Therefore Rabha said: "R. Jehudah's reason for his statement was the fact that the exact hour could not be ascertained on account of a cloudy day: and hence a man might mistake the sixth hour for the fifth." If that be so, then it should not be allowed to eat leaven even in the fourth hour? The fourth hour is a general time for eating,* hence no mistake can be made.

R. Na'hman in the name of Rabh said: "The Halakha prevails according to R. Jehudah." Said Rabha to him: "Why does not the master say that the Halakha prevails according to R. Meir; for have we not a Mishna by anonymous teachers (the first Mishna in Chapter II.) which bears out R. Meir?" "That Mishna is not in accordance with R. Meir, because it is opposed by others." "Then," rejoined Rabha, "why does master not say, that the Halakha prevails according to R. Gamaliel, who in this instance is the mediator between R. Jehudah and R. Meir?" Answered R. Na'hman: R. Gamaliel is not the mediator in this case, but merely asserts his own opinion, and if it is thy wish, I would tell thee, that Rabh holds with the Tana in the following Boraitha: If the 14th (of Nissan) fall on a Sabbath, all leaven must be removed before the Sabbath. Unclean or doubtful heave-offering must be burned and from clean heave-offering, which, however, cannot be used on the Passover, sufficient for two meals only must be left over for consumption

* *Vide* Tract Sabbath, page 17.

before the fourth hour. So said R. Elazar ben Jehudah the man of Barthutha in the name of R. Jehoshua. He was asked why the clean heave-offering should be burned, perhaps there may be found such as can eat it, and he answered: "Such men were sought but could not be found," but the Rabbis persisted: "Perhaps there were priests who passed the night beyond the town and might come in on the morrow and eat it?" R. Elazar replied: "According to your argument, the doubtful heave-offering should not be burned either lest Elijah come on the morrow and declare it clean!" and they rejoined: "It is known that Elijah will not come on the eve of Sabbath." In conclusion the Boraitha relates, that the sages carrying on the discussion did not move from their places until it was finally declared that the Halakha should remain according to the dictum of the mentioned R. Elazar ben Jehudah in the name of R. Jehoshua.

Then, if the Halakha prevails according to R. Elazar ben Jehudah it may be assumed, that concerning eating on the day preceding Passover nothing must be eaten after the fourth hour. Said R. Papa in the name of Rabha: "The Halakha prevails according to R. Elazar only concerning the removal of leaven but not concerning the hour of eating."

Rabbi also holds in accordance with the opinion of R. Na'hman; for Rabhin bar R. Ada related: "There was a man who stored a basket full of Chometz with Johanan Hakuka, and mice having gnawed holes in the basket, the Chometz commenced spreading. In the first hour of the eve of Passover Johanan came to Rabbi and asked him what to do. Rabbi told him to wait. In the second hour he still told him to wait, and so also in the third and fourth hour (perhaps the man might come to remove the basket). In the fifth hour he told him to take out the basket and offer it for sale in the market." We must assume, that he advised him to sell it in the market to Gentiles because Israelites could not use it at that hour and hence held with R. Na'hman that the Halakha prevails according to R. Jehudah.

Said R. Joseph: "Nay; he advised to sell it in the market and even to Israelites, thus holding to the opinion of R. Meir." Rejoined Abayi: "What need was there of his selling it in the market (to an Israelite), he could have used it himself under those circumstances?" And R. Joseph replied: "He could not do this on account of a possible suspicion that he would not pay the man a fair price." Said R. Ada bar Matthna to R.

Joseph: "Thou thyself at one time told us distinctly that Rabbi advised him explicitly to sell it to Gentiles, because he was of the opinion of R. Jehudah."

"*R. Jehudah also taught*," etc. One Tana taught in the presence of R. Jehudah, that the two thanksgiving-offering cakes were laid on the benches. Said R. Jehudah: "Was it then the intention to hide the cakes, that they should be put on the benches? Say, rather, they were placed on the roof surmounting the benches, where they could be seen."

Rahba said in the name of R. Jehudah: "On the mount of the Temple there was a double arched seat. We have also learned to this effect in a Boraitha, and R. Jehudah said: It was called Istavanith (columns) because a roof surmounted the seat, and the seat was composed of two arches one within the other."

"*Which had become desecrated.*" Why had they become desecrated? Said R. Hanina: Because the cakes were such as had been brought with thanksgiving-offerings and there being so many of them they could not be consumed within the statutory time; hence they became desecrated by being left over night, as we have learned in a Boraitha: "It is not permitted to bring thanksgiving-offerings on Passover, because cakes of unleavened bread must be brought with them." Is this not self-evident? Said R. Ada bar Ahabha: "The Boraitha refers not to the Passover but to the day preceding it; and we are told, that no thanksgiving-offerings should be brought on that day, because there will not be sufficient for the consumption of the leavened cakes before the morrow. Therefore such offerings were brought on the thirteenth; but as there were still more leavened cakes than could be consumed, the remaining ones became desecrated over night (and of these two were placed on the benches)."

We have learned in a Boraitha upon the authority of R. Elazar, that the cakes were not desecrated; that when both were still on the benches all the people still ate leavened bread, when one was removed eating was abstained from and when both were removed it was commenced to burn the leaven.

In another Boraitha we have learned: Abba Saul said: There was another sign, viz.: Two cows were drawing a plough on the Mount of Olives. While both cows were seen, all the people still ate leavened bread; when one of them was taken away, the people abstained from eating and as soon as the other was also taken away, it was commenced to burn the leaven.

MISHNA: R. Hanina, the Sagan of the priests, said: The priests never objected to burn flesh which had become unclean through a child of uncleanness * (*i.e.*, had become an uncleanness of the second degree) together with such as had become unclean with a parent of uncleanness (*i.e.*, had become an uncleanness of the first degree), although the (legal) uncleanness of the first mentioned had become correspondingly increased. R. Aqiba added to this and said: "The priests never objected to burn the oil of heave-offering, which had become unclean by being poured by an unclean person, who, however, had bathed on that day, into (a metal) lamp which had come in contact with an uncleanness produced by a dead body, notwithstanding the fact, that a higher degree of impurity had thus been added to its former impurity."

Said R. Meir: We learn from their words, that it is permissible, on account of the Passover, to burn clean heave-offering (of leaven) with that which has become unclean; but R. Jose rejoined: "This is not a (correct) inference." R. Eliezer and R. Jehoshua agree, however, that it is necessary to burn each separately. Wherein do they differ? Concerning things whose uncleanness is doubtful, and things which are positively unclean; for R. Eliezer says: "Each of them must be burned separately"; but R. Jehoshua says: "They may be burned together."

GEMARA: Let us see! If flesh had become unclean through a child of uncleanness, it became an uncleanness of the second degree; the flesh which had become unclean through a parent of uncleanness, became an uncleanness of the first degree; now, if the first mentioned flesh came in contact with the last mentioned, it also only attains a second degree of uncleanness, how can it be said that its degree of uncleanness had been increased? Said R. Jehudah: "The first named flesh had not been contaminated by a child of uncleanness, but by a second (degree) of uncleanness, in which it had become a third of uncleanness. Thus when brought into contact with flesh which was a first degree of uncleanness, it becomes unclean in the second degree, and R. Hanina holds, that a third degree of uncleanness may be made unclean in the second degree."

It is known, however, that eatables cannot become unclean by contact with other eatables? Here a case is referred to, where the flesh was soaked with a beverage, when it can become

* For definition of the terms "parent of uncleanness," "child of uncleanness," etc., see Tract Shekalim, Ch. VIII., Mishna *d*.

unclean on account of the beverage. If so, why does the Mishna state flesh only? It should have been mentioned in connection with beverages. Therefore we must say, that although, according to biblical law, eatables cannot become unclean by contact with other eatables, yet according to rabbinical law, eatables may become unclean in that manner.

"*R. Aqiba added to this and said.*" Let us see! What does R. Aqiba add to the above? The oil which had been touched by the unclean person became primarily a third of uncleanness, and, when poured into the lamp which was a first of uncleanness by reason of its contact with a parent of uncleanness, it became a second of uncleanness. (Hence where is the difference between R. Aqiba's statement and that above?)

Said R. Jehudah: In this instance the lamp was of metal and the Merciful One said [Numbers xix. 16]: "And whosoever toucheth in the open field one that hath been slain with a sword," which signifies, that the sword (which is of metal) becomes equally unclean with the object which it touches. Thus the lamp having come in contact with a parent of uncleanness also becomes a parent of uncleanness and the oil consequently becomes through contact with the lamp a first degree of uncleanness. This constitutes the addition made by R. Aqiba, viz.: A third of uncleanness may be turned into a first of uncleanness.

"*Said R. Meir: 'We learn from their words,'*" etc. From whose words do we learn? Said Resh Lakish in the name of Bar Kappara: The Mishna in citing a parent or a child of uncleanness refers to such according to the biblical institution, and R. Meir's statement: "We learn from their words," which refers to rabbinical enactments, has no bearing upon our Mishna but concerns the difference between R. Eliezer and R. Jehoshua elsewhere (Tract Terumoth, Chap. VIII., Mishnas 8 and 9), and signifies as follows: "From the dispute between R. Eliezer and R. Jehoshua we learn, that clean heave-offering (of leaven) with that which has become unclean may be burned, etc."

This may be inferred also from our Mishna itself; for further it is stated, that "R. Eliezer and R. Jehoshua agree," etc., and had they not been referred to in the first place, how could they be quoted as agreeing upon the point involved? So also said R. Na'hman in the name of Rabha b. Abuhu.

R. Assi said in the name of R. Johanan: "R. Jose and R. Meir differ only concerning the sixth hour but after that time R. Jose also admits, that the clean heave-offering may be burned

with the unclean." Said R. Zera to R. Assi: According to thy statement, then, R. Johanan holds, that R. Hanina the Sagan treats of the parent of uncleanness from a biblical point of view and of the child (first) of uncleanness from a rabbinical point of view; R. Meir, therefore, in his statement refers to the words of R. Hanina. (For the reason, that R. Meir speaks of the sixth hour, when, according to biblical law, even eating is permissible.) R. Assi rejoined: "Yea; so it is." The very same statement was taught also in the name of R. Johanan: And R. Meir holds according to his theory elsewhere while R. Jose holds in accordance with *his* own theory. R. Meir's theory is, that contact with beverages which are unclean causes uncleanness only according to rabbinical law, while according to biblical law this cannot take place (hence if R. Hanina the Sagan says, that flesh which has become unclean in the second degree was burned with flesh unclean in the first degree, the first named was only unclean according to rabbinical law while according to biblical it was clean and it was burned together with a biblical parent of uncleanness). R. Jose, however, holds, that contact with unclean beverages can cause uncleanness even according to biblical law; hence the first named flesh was made a child of uncleanness *biblically*, in which case it cannot be equal to clean heave-offering in the sixth hour, at which time according to biblical law leaven may still be eaten. This we learn from the following Boraitha:

"If there were doubtful beverages (*i.e.*, it was not known whether they had come in contact with an unclean person or not) they are themselves unclean, but cannot impart uncleanness to others. Such is the dictum of R. Meir. So also said R. Elazar. R. Jehudah, however, said, that they can even impart uncleanness to others. R. Jose and R. Simeon both said: They can impart uncleanness to eatables only but not to vessels."

The master said: "R. Jehudah, however, said, that they can even impart uncleanness to others." Shall we assume, that R. Jehudah holds the capability of doubtful beverages to impart uncleanness to vessels also in accordance with biblical law? Have we not learned in a Mishna [Tract Kelim xxv. 1]: "all vessels having an inner side and an outer side, *f.i.*, bolsters, pillows, sacks and bags, if becoming unclean on the inner side, the outer side is also unclean; but if the outer side only had become unclean, the inner side remains clean. Said R. Jehudah: Such is the case if they had become unclean through contact

with beverages, but if through contact with reptiles, it makes no difference which side had become unclean: both sides are unclean?" If we would say then, that uncleanness through contact with beverages is based on biblical law, why is there a distinction made (the same should be the case as with reptiles)?

Said R. Jehudah in the name of Samuel: "R. Jehudah (of the Mishna) retracted this statement."

The schoolmen propounded a question: "Did R. Jehudah retract his statement concerning vessels only but as for eatables he holds as R. Jose and R. Simeon, or did his retraction also apply to eatables and he is of the same opinion as R. Meir?" Said R. Na'hman bar Itz'hak: "Come and hear: The flesh of a cow, which had drunk the waters wherein were contained the ashes of the (sacrificial) red heifer and was slaughtered immediately afterwards, is unclean. R. Jehudah, however, said, that the flesh is not unclean, as the water was annihilated in the entrails of the cow." If, then, R. Jehudah's retraction only referred to vessels, but as for eatables he holds with R. Jose and R. Simeon, why does he say that the flesh is not unclean? Granting that the water was not quite effective in the entrails of the cow, the uncleanness caused thereby is not severe but it certainly constitutes a mild uncleanness? R. Jehudah really means to state that the flesh was not severely unclean but was mildly so. R. Ashi, however, said, that the water was actually annihilated and R. Jehudah holds such to be the case not because of his retraction, but because the water mentioned is foul and cannot be considered a beverage.

CHAPTER II.

REGULATIONS CONCERNING THE TIME FOR EATING LEAVENED BREAD ON THE EVE OF PASSOVER—MATERIAL USED FOR MAKING UNLEAVENED BREAD AND BITTER HERBS.

MISHNA: As long as it is lawful to eat leavened bread, one may also give it to his domestic or wild animals or to fowls; he may also sell it to strangers or derive benefit therefrom in any other way; when that time is passed, however, it is unlawful to derive any benefit from it whatever, not even use it for fuel or to light therewith an oven or a stove. R. Jehudah said: "The removal of leaven cannot be effected except by burning"; but the sages maintain, "It can also be effected by crumbling it into small particles, casting it to the wind or throwing it into the sea."

GEMARA: According to the Mishna, at the time when one is no longer allowed to eat leaven himself, he must not give it to others either? With which Tana does the Mishna accord?

Said Rabba bar Ula: The Mishna above is according to the opinion of Rabbon Gamaliel, who says, that ordinary eatables may be eaten only during the first four hours, but heave-offerings may be eaten even during the fifth hour and should be explained thus: As long as the priest may still eat heave-offering an ordinary Israelite may give ordinary leaven to others, etc.

Why does the Mishna enumerate domestic and wild animals and fowls? Would it not suffice to simply mention animals? Were domestic animals only mentioned, it might be assumed that they may be given that leaven, because should they leave any it will be seen and can be guarded against, whereas wild beasts generally hide what they leave uneaten and may thus cause the man to be guilty of having leaven in his house on the Passover. On the other hand, were wild animals only mentioned, it might be presumed that wild animals only are mentioned, because whatever they leave uneaten they hide and a man will not be able to see it, while if domestic animals should leave any of it, it will be within sight of all and will not be heeded by him,

when he will become guilty of having leaven in his house within the view of all. Hence the enumeration is made. Why are fowls specially mentioned? Because animals are specified, fowls are also added.

"*He may also sell it to strangers.*" Is this not self-evident? (If it may be eaten, why should it not be allowed to sell it to a Gentile?) We are told this in order not to presume that the Halakha prevails according to the Tana of the following Boraitha: "Beth Shammai say: Leaven should not be sold to a Gentile unless it is positively known that he will consume it before the Passover. Beth Hillel, however, hold, that if it may be eaten, it may also be sold. R. Jehudah ben Bathyra said: 'Kuthach (a dish made with leavened bread) and any other dishes made with Kuthach must not be sold thirty days before Passover.'"

"*Or derive benefit therefrom,*" etc. Is this not self-evident? This refers to corn which had been parched during the first four hours and which may under those circumstances be used even after the appointed time, and the Mishna is in accordance with the opinion of Rabha, who decreed that.

"*When that time is passed, however,*" etc. Is this not self-evident? The Mishna means to state that even from the sixth hour up to the time when the Passover sets in, no benefit may be derived from any remaining leaven notwithstanding the fact that eating during the time mentioned is rendered unlawful by rabbinical enactments only; for R. Giddel said in the name of R. Hyya bar Joseph, quoting R. Johanan: "If a man betroth a woman on the eve of Passover after the sixth hour even with hard wheat,* it is not considered a valid betrothal."

"*Nor even use it for fuel.*" Is this not self-evident? The Mishna means to state, that even according to R. Jehudah, who holds that removal of leaven cannot be effected except by burning, we might assume, that while it is being burned it may also be used as fuel, hence we are told that this must not be done.

Hezkyah said: Whence do we know that no benefit may be derived from leaven on Passover? Because it is written [Exod. xiii. 3]: "And no leavened bread shall be eaten," and "it shall not be eaten," signifies, that no benefit may be derived from it in the same manner as it must not be eaten. How would it be,

* A betrothal is not made effective unless the man gives something to the woman and she accepts it. The gift may consist of anything whatever, if of any value.

however, if the verse read "ye shall not eat"? Then leaven could be used for everything else except eating? Hence we must say, that Hezkyah differs with R. Abbahu, who said: Wherever it is written "one shall not eat," or "it shall not be eaten," or "ye must not eat," it implies, that no use whatever must be made of such thing unless it be explicitly stated that while it should not be eaten, one may otherwise derive benefit therefrom, as it is written [Deut. xiv. 21]: "Ye shall not eat anything that dieth of itself, unto the stranger, etc., canst thou give it or thou mayest sell it," etc.

Concerning reptiles it is written [Levit. xi. 41]: "And every creeping thing that creepeth upon the earth is an abomination, it shall not be eaten," and still we have learned in a Mishna, that those who catch beasts, fowls or fish and among them there should be any unclean species, they may nevertheless sell them to Gentiles? In that case it is different, for previously it is written [ibid. 23]: "Shall be an abomination unto you," which signifies, that it is theirs and they may derive what benefit they can thereof. Then why does the Mishna state, "*if there should be* among them any unclean species, he may sell them," why should it not be allowed to sell such to commence with? Because it is written "shall be *unto you* an abomination" and that implies, that they should always be an abomination, but if incidentally they should come within the possession of a man, he may use them at will.

According to Hezkyah, who says, that wherever it is written "it shall not be eaten" it is unlawful to derive any benefit from the object mentioned, why should it not be written instead "ye shall not eat," in which event the additional passage "shall be an abomination unto you" will become unnecessary? Hezkyah could reply: That is just the ground upon which I base my assertion (for, because it is written "ye shall not eat," the additional passage quoted legalizes the use of such objects; hence wherever it is written "it shall not be eaten" without such additional passage, it is obvious that no benefit may be derived from the object mentioned).

As for leavened bread again, concerning which it is written "it shall not be eaten," and we have learned in a Boraitha that R. Jose the Galilean nevertheless states, that it is surprising why it is ordained that no benefit may be derived from it for all the seven days of Passover? R. Jose may explain his statement by citing the other passage, which reads "shall not be

seen *with thee*," and the words "with thee" signify, that the leaven belongs to the man and he may make use of it. What explanation will the sages bring forth? The sages hold that the words "with thee" merely suggest, that *thy* leaven must not be seen, which belongs to *thee*, but that of others and consecrated leaven may be seen. Whence does R. Jose infer this suggestion? The words "with thee" are written twice. What do the sages infer from the fact that "with thee" is written twice? They hold, that one refers to a Gentile under the control of the man, and the other to one, that is not under his control. Whence does R. Jose adduce this? Because "with thee" is written a third time in another passage [Deut. xvi. 4]. How will the sages explain the third citation of "with thee"? They claim that separate passages were necessary in order to make a distinction between leaven and leavened bread. Were leaven alone mentioned it might be presumed that leavened bread was allowed or *vice versa*, hence both passages were necessary.

Shall we assume that the difference of opinion between Hezkyah and R. Abbahu is similar to the difference of opinion between the following Tanaim: It is written [Levit. vii. 24]: "And the fat of a beast that dieth of itself, and the fat of that which is torn by beasts may be used for any manner of work, but ye shall in no wise eat of it." Why is it written "for any manner of work"? Because it might be presumed that the fat should be used for work pertaining to divine service, but not to ordinary work, hence we are told that it may be used "for any manner of work." So said R. Jose the Galilean. R. Aqiba, however, said: "On the contrary! it might be presumed that the fat could be used for ordinary work but for that pertaining to divine service it should not, hence we are told that this may also be done."

Shall we assume that R. Jose the Galilean and R. Aqiba differ concerning the intent of the passage "Ye shall not eat," R. Jose holding, that wherever the passage occurs, it signifies also, that no use may be made of the object in question and the verse quoted above [Lev. vii. 24] is required in order to permit of the use of such an object as must not be eaten, while R. Aqiba holds, that such things as are forbidden to be eaten may nevertheless be made use of and the verse quoted merely signifies the relation to cleanness or uncleanness?

Nay; it may be that both R. Jose and R. Aqiba agree, that wherever it is written "Ye shall not eat" the object in question

must not even be used, and their point of variance concerns another matter. One holds, that the permission to make use of carrion does not include the fat of the carrion; hence an additional passage is necessary in order to make the use of the fat lawful; while the latter holds, that fat is included in the permission to use the carrion; hence the additional passage concerns only the relative cleanness or uncleanness.

Let us see! Notwithstanding the citation of so many passages, and the allegation of diverse opinions existing between Hezkyah and R. Abbahu, we do not find a single instance of where the two sages actually differ concerning the main issue involved, viz.: the permissibility or non-permissibility of using such objects as are forbidden to be eaten. Upon what point then *do* they disagree? They differ concerning leaven on Passover, according to the sages, who prohibit its use, and concerning the ox, which must be stoned for goring a man,* and the flesh of which all agree must not be used. According to Hezkyah, it must not be used on account of the passage which states "his flesh shall not be eaten," while R. Abbahu declares, that no passage to that effect is necessary, as by being stoned the ox becomes carrion and must for that very reason not be used.

Even in this case there is no palpable difference of opinion between the two sages? According to both the flesh of the ox must not be used? They differ concerning an ordinary (non-consecrated) animal which had been slaughtered in the court of the Temple, where only consecrated animals could be slaughtered; if an ordinary animal, however, had been slaughtered at that place (it is considered as if it were torn by beasts in the field and its flesh must not be used), Hezkyah says, that it must not be used, because the passage [Exod. xxii. 30] reads: "Flesh that is torn of beasts in the field shall ye not eat; to the dogs shall ye cast *it*." The word "*it*," in his opinion, refers only to the flesh that is torn of beasts, which, though it must not be eaten, may be used as food for dogs, etc., but not to flesh of an animal slaughtered in the court of the Temple. According to R. Abbahu, however, such flesh may, from a biblical point of view, be used.

One of the scholars sate before Samuel bar Na'hmeni and said in the name of R. Jehoshua ben Levi: Whence do we know

* See Exod. xxi. 28.

that all things, which are according to biblical law forbidden to be eaten are also forbidden to be made use of; *f.i.*, leaven on Passover and the ox which is stoned? Because it is written [Levit. vi. 23]: "And every sin-offering whereof any of the blood is brought into the tabernacle, etc., shall not be eaten; it shall be burned in fire." Why is the additional injunction to burn it with fire made? The words "it shall be burned in fire" are superfluous in the passage [Lev. vi. 23] quoted, because further on [ibid. x. 16] it is written "Behold it was burnt," hence they should be applied to all other prohibitions of the Law; and if they cannot be applied in connection with such prohibitions as distinctly forbid the eating of the objects mentioned, they should be applied to the use of such objects (*i.e.*, whatever is prohibited to be eaten should also not be used).

Accordingly it might be said, that all such things which must not be used should be burnt? Therefore it is written [ibid. vi. 23]: "And every sin-offering whereof any of the blood is brought into the tabernacle of the congregation to make atonement therewith in the holy place, shall not be eaten; it shall be burnt in fire." Whence we infer, that only such things as are brought into the holy place must be burnt but not other things the use of which is prohibited by the Scriptures should be burned.

Replied Samuel bar Na'hmeni: "From the verse just quoted R. Simeon decrees in another Boraitha that all things of sanctity which become desecrated, *f.i.*, flesh of sacrifices which had been left over, must be burned."

The scholar rejoined: Thy teacher R. Jonathan inferred the above from the following passage [Exod. xxix. 34]: "And if aught of the flesh of the consecration sacrifice, or of the bread, remain unto the morning, then shalt thou burn the remainder with fire; it shall not be eaten." Is not the sentence "it shall not be eaten" superfluous? It is already written, "thou shalt burn the remainder with fire." Hence it should be applied to the other prohibitions of the Law; and wherever it is already written "it shall not be eaten," apply it in the sense that it shall not be used. And lest it might be assumed, that whatever must not be used should be burned, therefore the verse distinctly states "then shalt thou burn the *remainder* with fire." Thus the remainder only should be burned but not other things which are not to be used.

R. Abbahu said in the name of R. Johanan: "All the prohi-

bitions of the Law 'it shall not be eaten' or 'it shall not be used' cannot, if disregarded, make one amenable to the punishment of stripes unless the acts were committed in the manner incidental to their customary execution." What would he intend to exclude thereby? Said R. Schimi bar Ashi: He means to exclude the act of putting fat from the stoned ox on a wound; notwithstanding the fact that, contrary to the law, benefit was derived from the fat, the act does not make a man amenable to the punishment of stripes, and so much the more would he exclude the act of eating raw fat (tallow).

It was also taught by R. A'ha bar Ivia in the name of R. Assi quoting R. Johanan: "If a man put fat from the stoned ox on his wounds, he is not culpable; because all the prohibited acts of the Law cannot if committed make a man amenable to the punishment of stripes unless they were executed in the customary manner." Said R. Zera: "We have learned a similar ordinance in another Boraitha (in Tract Cholin)."

Abayi said: All agree, that concerning Kilaim in a vineyard, there is an exception and even if not carried out in the customary manner, the man becomes amenable to the punishment of stripes, because in that instance eating is not mentioned at all (as it is written [Deut. xxii. 9]: "Thou shalt not sow thy vineyard with divers seeds: that the ripe fruit of thy seed which thou hast sown and the fruit of thy vineyard shall not be defiled"), but the injunction is against defilement in any manner whatever.

R. Jacob said in the name of R. Johanan: "It is permitted for a man to cure himself by means of any of the prohibited things mentioned in the Scriptures with the exception of wood taken from the groves used for idolatry." How is this to be understood? If there is danger attending the illness, then even the wood from that grove may be used, and if the illness be not serious then no prohibited things whatever must be used? A dangerous illness is referred to, and nevertheless the wood from a grove used for idolatry must not be used as we have learned in a Boraitha: "R. Eliezer said: 'It is written [Deut. vi. 5], "Thou shalt love the Lord, etc., *with all thy soul*," therefore, even if thou shouldst be forced to give up thy soul thou shalt not do any things pertaining to idolatry.'"

When Rabhin came from Palestine, he said in the name of R. Johanan: "With all things it is permitted to cure one's self except by means of idolatry, adultery, and shedding of blood." Not by means of idolatry as we have learned above, and "not by

means of adultery and shedding of blood" as we have learned in the following Boraitha: Rabha said: "It is written [Deut. xxii. 26]: For as when a man riseth against his neighbor, and striketh him dead, even so is this matter," hence the ravishment of a betrothed damsel is considered equal to murder, and as concerning murder it is said, that if a man be told to slay another or else he would be slain, he must rather permit himself to be slain than slay another, so it is also concerning a betrothed damsel, who should rather permit herself to be slain, than to be ravished by a man."

Whence do we know, that a man must rather permit himself to be slain than to slay another? This is a matter of common sense, as it happened with Rabha: A man came to Rabha and told him, that the governor of the city had ordered that he (the man) slay a certain man or himself suffer death, and Rabha said to him: "Rather than slay another, thou must permit thyself to be slain; for how dost thou know that thy blood is better than his, perchance his blood is better than thine?"

It was taught: The benefit of a thing which is forced upon a man against his will, may, according to Abayi, be enjoyed (*f.i.*, if a man was carried into a house where fragrant incense was offered up to idols he may enjoy the odor of such incense). Rabha, however, maintains, that he must struggle against it. If he can avoid enjoying it and has no intention to derive any benefit therefrom, it is a case similar to the point of variance between R. Simeon and R. Jehudah concerning an act committed unintentionally. R. Simeon holds, that an act committed unintentionally does not make one culpable, while R. Jehudah holds, that it does. If one cannot avoid enjoying it, but had no original intention to derive any benefit therefrom, all agree, that he must not struggle against it. They differ, however, concerning a case where a man cannot avoid enjoying it, but also had the intention to derive pleasure therefrom. According to R. Simeon he is culpable, and according to R. Jehudah as long as the enjoyment cannot be avoided, the man is *not* culpable. Hence Abayi holds in accordance with the opinion of R. Jehudah. Rabha can also declare, that he is in accord with R. Jehudah; for R. Jehudah holds an intentional act and an unintentional act to be on a par only when a more vigorous ordinance is concerned (*f.i.*, in the case of an unintentional act committed on the Sabbath), but was it ever known, that R. Jehudah should be of the same opinion where a more lenient ordinance is concerned?

Said Abayi: When do I adduce my statement? From the following Boraitha: "It was told of R. Johanan ben Zakai, that he sate in the shade of the Temple and lectured all day. (The Temple being sanctified must not be put to (profane) use, and R. Johanan, on account of the heat of the sun, sought the shade caused by the height of the Temple)." In this case it was a matter of necessity for R. Johanan to use an open space because he could not find a room sufficiently large to accommodate his audience, and when seeking the shade of the Temple he did so with the intention to avail himself of the benefit of the shade, whence I may infer, that such an act, even though it be intentional, is permissible.

Rejoined Rabha: "With the Temple it is different. It was constructed for use on the inside and not on account of its shade."

"*Or to light therewith an oven or a stove,*" etc. The rabbis taught: An oven which was fed with the peel of fruit from newly planted trees* or with the straw of Kilaim (divers seeds) of a vineyard (if the oven was new and by such burning had become fit), must be demolished. If the oven, however, was an old one, it must only be allowed to cool off and may subsequently be used. If bread was baked with the heat caused by such fuel, Rabbi said, "the bread must not be used," while the sages permit its use. If food was cooked over the coals of such fuel, all agree, that such food may be consumed.

Have we not learned in another Boraitha, that be the oven old or new it need only be cooled off and subsequently it may be used? This presents no difficulty. The latter Boraitha is in accord with the sages, who hold, that bread baked in an oven fed with such fuel may be used, thus discountenancing the assumption that the heat of such fuel invalidates the bread; consequently they hold that the oven must simply be allowed to cool off but need not be demolished.

Said R. Joseph in the name of R. Jehudah quoting Samuel: "An oven fed with the peel of fruit from newly planted trees or with straw of Kilaim of a vineyard (if the oven was new) must be demolished. If it was an old one, however, it must only be allowed to cool off and may subsequently be used. If bread was baked with the heat produced by such fuel, Rabbi said 'the bread may be used,' while the sages prohibit it." Did

* Concerning the law of newly planted trees, see Leviticus xix. 23.

we not learn to the contrary, however, viz.: that Rabbi prohibited the use of such bread while the sages permitted it?

Samuel generally adheres to the rule, that wherever Rabbi differs with an individual, the Halakha prevails according to Rabbi, but when differing with the sages, the Halakha prevails according to the sages. In this instance, however, Samuel holds, that the Halakha prevails according to Rabbi in the former Boraitha; but knowing that the people hold to the rule that wherever Rabbi and the sages differ, the Halakha prevails according to the sages, he purposely inverts the Boraitha and makes it appear as if the sages originally prohibited the use of the bread in question.

The Boraitha also stated: "If food was cooked over the coals of such fuel, all agree, that such food may be consumed." R. Jehudah in the name of Samuel and R. Hyya bar Ashi in the name of R. Johanan differed concerning this ordinance. One holds, that the ordinance is effective only if the coals were already extinguished; but if still live, the food must not be used. The other, however, holds, that even if the coals were still live, it is also permitted to use the food.

According to the former opinion, Rabbi *correctly* states, that bread baked in the heat caused by such fuel is not to be used, because he holds, that the use of the fuel is indirectly transmitted to the bread or, in the case of the live coals, to the food; but according to the one who permits the use of food cooked over the *live* coals of such fuel, how can Rabbi prohibit the use of the bread baked in the heat produced by such fuel? Said R. Papa: Rabbi may refer to bread which is baked directly by the flame of such fuel. In that case, do the sages *also* permit the use of such bread? Under what circumstances then does the fuel render the use of things unlawful? When a man sits opposite the flame, said R. Ami bar Hama, caused by such fuel in order to warm himself and thus derives direct benefit from such fuel it is not permitted (but bread, being baked only when the flame is about to die out and heat remains, may be used).

"*R. Jehudah said: 'The removal of leaven cannot be effected except by burning.'*" We have learned in a Boraitha: R. Jehudah said: "Leaven must be removed only by burning and so should the law be; for if the remainder of the flesh of the sacrifices, concerning which there are no commandments directing that it must neither be seen nor found, must be burnt, so much the more should leaven be burned"; but the sages replied:

" Every regulation which is intended to be made more rigorous, but by force of circumstances eventually becomes even more lenient, cannot be considered a proper regulation; for in this case thou sayest 'leaven must be removed only by burning,' but how would it be if a man could not find any wood at the time? Should he do nothing towards removing it? But the law distinctly orders the leaven to be removed, as it is written [Exod. xii. 15]: 'But on the first day ye shall have put away leaven out of your houses,' which signifies, that it must be removed by any means whatever."

R. Jehudah, however, advanced another argument: "The remainder of the flesh of the sacrifices must not be eaten and leaven must not be eaten; hence as the former must be burnt so must the latter"; but the sages again replied: "Take the instance of carrion. Carrion must not be eaten, yet it need not be burned," and R. Jehudah replied: "There is a difference between the two. The remainder of the flesh must not be eaten nor may any benefit be derived therefrom, which same law applies also to leaven." "Then take the instance of the stoned ox," said the sages again, "that must not be eaten nor even used and still it need not be burnt." "There is still a difference," rejoined R. Jehudah, "the remainder of the flesh must neither be eaten nor used, and if it is the culprit becomes amenable to the punishment of Kareth (being 'cut off'); the same law applies to leaven; hence the latter should also be burned." "Then what about the fat of the stoned ox," queried the sages, "that must not be eaten, and if this be done, it constitutes a transgression punishable with Kareth; still it need not be burned?" R. Jehudah then advanced another argument: "Concerning the remainder the law prescribes, that it shall not be left until morning, and concerning leaven it is also prescribed, that none should remain, then why should not burning apply to both?" and the sages replied: "Take the instance, then, of a trespass-offering brought for a doubtful transgression or a sin-offering fowl brought for a doubtful case, which we ourselves declare should be burned, still thou maintainest, that it must not be put on the altar but should be buried." This rejoinder silenced R. Jehudah. Commenting upon this R. Joseph said: "This can be compared to the general saying, that a wood-carver carved a spoon and with that spoon he carried mustard to his mouth and burned his tongue." Abayi, however, said: "It can be compared to a man making stocks, which are subsequently shackled to his own

feet," and Rabha said: " It can be compared to a man making arrows, one of which finally reaches his own heart."

" *But the sages maintain, it can also be effected by crumbling,*" etc. The schoolmen propounded a question: " What does the Mishna mean, that it should be crumbled in order to be thrown forth to the wind but that it may be thrown into the sea whole or that it must also be crumbled before being thrown into the sea ? We have learned in a Boraitha: If the man is in a desert, he should crumble the leaven and throw it forth to the wind; but if he is at sea, he may throw it into the water whole."

MISHNA: Leaven belonging to a Gentile, which during the Passover was in possession of that Gentile, may be used after that festival, but not when it belonged to an Israelite, for it is written [Exod. xiii. 7]: " Neither shall there be seen with thee any leaven in all thy boundaries."

GEMARA: According to whose opinion is this Mishna ? Not according to R. Jehudah, nor R. Simeon nor R. Jose the Galilean ? What is their opinion ? We have learned in the following Boraitha: One who ate Chometz (leavened bread) before or after the appointed time (which is the time between noon and sunset on the eve of Passover) transgressed a negative commandment. If he ate it during the appointed time he transgressed a negative commandment and is amenable to Kareth (being cut off). From the time when it is prohibited to eat Chometz and further, no benefit whatever may be derived therefrom. Such is the dictum of R. Jehudah. R. Simeon, however, said: " Before and after the appointed time, eating Chometz does not constitute a transgression," but at the appointed time he agrees with R. Jehudah, and R. Jose the Galilean said: " It is surprising to know, that no benefit may be derived from Chometz during all of the seven days." Whence do we know that a man who eats Chometz during the six hours preceding the time when Passover sets in, transgresses a negative commandment ? Because it is written [Deut. xv. 3]: " Thou shalt not eat *therewith* any leavened bread." Such is the dictum of R. Jehudah. Said R. Simeon to him: " How canst thou say such a thing ? It is also written [ibid.]: ' Seven days shalt thou eat *therewith* unleavened bread ' (if thou shouldst say that ' therewith ' refers to the Passover-sacrifice, did then the Passover-sacrifice continue for seven days ?). Thus ' therewith ' refers to the moment when the eating of unleavened bread be-

comes compulsory; but before such time the negative commandment, 'Thou shalt not eat leaven,' is not effective."

Upon what grounds, then, does R. Jehudah base his dictum, that even during the six hours preceding the arrival of Passover, Chometz must not be eaten? Because there are three passages referring to leaven [Exod. xii. 20, ibid. xiii. 3, and Deut. xvi. 3], one of which has reference to the six hours preceding the appointed time, the second to the appointed time, and the third for the Chometz which was not removed before the Passover, and was left over until after Passover.

How does R. Simeon account for the three passages? He applies *one* to the appointed time, another [Exod. xii. 20] to such things as had become leavened by contact with leaven, and the third refers to the time when the Israelites went out of Egypt, when the eating of Chometz was prohibited for one day only, as stated by R. Jose the Galilean, who bases his assertion to that effect on the passages [Exod. xiii. 3 and 4]: "No leavened bread shall be eaten. This day go ye out, in the month of Abib." Thus only on this day no leavened bread should be eaten.

Now, then, according to whose opinion is the Mishna? Shall we assume that it is according to R. Jehudah? Does he not hold all Chometz to be unlawful after Passover, if in existence during the Passover, regardless of whether it belong to a Gentile or an Israelite? According to R. Simeon, even that belonging to an Israelite may be used after the Passover? And according to R. Jose the Galilean, even during Passover benefit may be derived from Chometz belonging to an Israelite also?

R. A'ha bar Jacob replied: "The Mishna is according to the opinion of R. Jehudah, and the question how, according to R. Jehudah, leaven belonging to a Gentile may be used after the Passover can be answered by stating, that R. Jehudah infers a comparison by analogy from the fact that leaven, being mentioned in connection with eating and also with seeing, in the same manner as only leaven belonging to the person concerned must not be seen, but that belonging to others may be seen, so it is also with respect to eating. A man must not eat his own leaven, but that of another he may eat. Accordingly our Mishna should have taught that eating is also permissible; but in consequence of the necessity of mentioning that no benefit may be derived from bread belonging to an Israelite, the same term is used in connection with bread belonging to a Gentile. In the

same manner, our Mishna should have taught, that bread belonging to a Gentile may be eaten even during the appointed time; but from the necessity of mentioning that bread belonging to an Israelite must not be used *after* the appointed time, the same is also taught concerning a Gentile."

Rabha, however, said: "The Mishna may also be in accordance with R. Simeon, and the question, Why should no benefit be derived from bread belonging to an Israelite after the Passover? may be answered by stating, that it was merely a punishment for the transgression of the two commandments, 'it shall not be seen' and 'it shall not be found,' which the Israelite committed by leaving the leaven over from before the Passover."

The Mishna concludes by quoting the passage: "Neither shall there be seen," etc. Thus Rabha's statement is borne out; but according to R. A'ha bar Jacob, it should conclude with the passage: "No leaven shall be eaten." Thou assumest that the conclusion of the Mishna refers to the prohibition of using bread belonging to the Israelite! This is not so! It refers to the first clause of the Mishna; namely, the bread belonging to a Gentile may be used, because it is written, "Neither shall there be seen with *thee*," but that belonging to a Gentile may not only be seen but also used, as stated above.

Both of these sages (Rabha and R. A'ha bar Jacob) hold to their individual theories, as it was taught: "If a man had eaten leaven belonging to Gentiles on the Passover, according to R. Jehudah, said Rabha, he should be punished with stripes; but according to R. A'ha bar Jacob, he need not be punished in that manner." Why does Rabha decree thus? Because he holds, that R. Jehudah does not put the eating of leaven on a level with the sight thereof; but R. A'ha bar Jacob holds, that R. Jehudah does put eating on a level with the sight of leaven, hence the punishment of stripes is not to be inflicted.

Rabh said: "Chometz, whether it became mixed with its own kind (which was unleavened) or with another kind during the appointed time (the seven days) is prohibited to be used. If it became mixed at any other but the appointed time, it is prohibited to be used only if it became mixed with its own kind; but if with a different kind it may be used."

[How is the case? Does Rabh mean to state, that the Chometz which had become mixed with the unleavened can be tasted? Why then does he permit its use at any other but the

appointed time and if mixed with a different? The Chometz can be detected by means of the taste? It might be said, however, that the Chometz was of so trifling a quantity that it could not be detected; then why, if it became mixed during the appointed time and not with its own kind, should it be prohibited?

Rabh intended that his decree serve as a precautionary measure, and prohibits even a trifling quantity of Chometz during the appointed time, which had become mixed with a kind not its own, lest it be used if it became mixed with its own kind.]

Samuel, however, said: "During the appointed time only Chometz which had become mixed with its own kind is prohibited but not such as had become mixed with another kind, while at any other but the appointed time it may be used even if mixed with its own kind." (Thus Samuel does not hold the precautionary measure of Rabh to be necessary.)

R. Johanan, however, said: "Chometz even during the appointed time and when mixed with its own kind is only then prohibited if it can be tasted (with the unleavened). In all other cases it may be used." (Because he holds with R. Simeon, who permits the use of Chometz after the appointed time in any manner.)

Said Rabha: The Halakha prevails, that Chometz during the appointed time is prohibited to be used, if mixed with its own kind or with another kind even in trifling quantities, as Rabh decreed; and at any other but the appointed time it may be used in any manner, as R. Simeon decreed. Rabha holds to his individual theory and says: When we were at the school of R. Na'hman, he told us after the Passover to go and buy leavened bread from the soldiers of the government.

Rabh said: "Earthenware pots which had been used during the year must be destroyed before Passover." For what reason? Let them be left over until after the Passover and then used for other kinds of food than formerly? This is a precautionary measure, in order to prevent the possibility of their being used for the same kinds of food as formerly.

Samuel, however, said: "They need not be destroyed, but kept until after Passover, and then they may be again used for any purpose whatever." Samuel holds to his individual theory, for he said to the vendors of earthenware pots for the Passover: "Lessen the prices of your pots for the Passover, otherwise I

shall decree that the law prevails according to R. Simeon (and the old pots will be valid after the Passover)." Why did he not proclaim this in reality? He is of the opinion of R. Simeon? The place where he was at the time was within the jurisdiction of Rabh; hence he could only threaten them.

An oven was greased with fat immediately after it had been heated. Rabha bar Ahilayi prohibited the eating of the bread baked therein even with salt, lest it be eaten with Kutach (a dish made with milk), and prohibited the use of the oven for all time to come. An objection was made: We have learned: "Dough must not be kneaded with milk, and if this was done the bread therefrom must not be eaten, in order to avoid the possibility of committing a transgression (*i.e.*, eating such bread with meat). Likewise, an oven must not be greased with the fat of a ram's tail, and if this was done, the bread must not be eaten and the oven must again be heated and other bread baked."

Thus we see, that the oven may be reheated and other bread baked therein; why does Rabha bar Ahilayi prohibit the use of the oven permanently? Rabha bar Ahilayi can make no answer to this question.

Said Rabhina to R. Ashi: "Now, if Rabha bar Ahilayi's statement was effectually refuted by the Boraitha, why should Rabh decree, that the pots which were used during the year must be destroyed before the Passover,* why could they not be burnt out and then used again?" and R. Ashi answered: "With an oven it is different. That is heated on the inside; hence as soon as it is heated again no traces of the fat will be left and it becomes the same as it was before; while pots are always exposed to the fire from the outside, and for that reason their condition will remain unchanged; and if thou shouldst ask why the inside of the pots should not be exposed to the fire also, the answer is, that there is fear of their bursting should this be done. Hence I say, that a pot which could withstand a

* Why was the decree of Rabh confronted with the fact that Rabha bar Ahilayi's statement had been effectually refuted by the Boraitha? Why could not the Boraitha itself have been used in order to counteract Rabh's decree? In our opinion, this was not done because Rabh was a Tana, and in many instances the Talmud allows Rabh, as a Tana, to dispute a Boraitha. In this case, however, as Rabha bar Ahilayi could find no answer for the refutation, and it was not said in his defence that he held according to Rabh, which he could have done provided Rabh had actually differed with the Boraitha, hence we must assume that Rabh is in accordance with the Boraitha. Now, then, if such is the case, the question why Rabh holds that the pots must be destroyed according to Rabh is a logical one.

fire must not be used on Passover, unless it was filled with live coals and burnt out."

Rabhina asked of R. Ashi: "What should be done on Passover with knives?" and he answered: "I buy new knives for the Passover." And Rabhina rejoined: "In Master's case it is proper; for thou art rich and canst afford it; but what should a poor man do?" "I do not mean exactly new knives," replied R. Ashi, "but renovated knives," *i.e.*, knives the blades of which are covered with clay and placed in the fire, and after being thoroughly burnt are taken out, and together with the hilts are soaked in boiling water, when they become equal to new ones. The Halakha prevails, however, that the whole knife need only be soaked in boiling water which had not been removed from the fire.

Said R. Huna the son of R. Jehoshua: "A wooden ladle should be placed in boiling water which had not been removed from the fire," for he holds, that in the same manner that the ladle absorbs the leaven contained in the pots, in the same manner can it be purified.

Ameimar was asked: What is the law concerning glazed pottery? If the color of the coating was green, there is no question but that they must not be used; but we refer to such as were glazed in black or in white. If the coating was cracked, there is also no question but that they must not be used; but we refer to such as were perfectly smooth. Ameimar replied: "I noticed that the fat cooked in such pots oozes out on the other side, and hence it is obvious that they absorb it; and the Scriptures attested that an earthen pot never yields forth what it has once absorbed." *

Said Rabba bar Abba in the name of R. Hyya bar Ashi, quoting Samuel: "All vessels in which leavened food had been kept while cold may be used for unleavened food, with the exception of such vessels as contained actual leaven, for that is very pungent." Said R. Ashi: "Such vessels in which leavened bread and vinegar were generally mixed must also not be used, because that is equal to leaven." And Rabha said: "The large basins which are frequently used in the city of Mehuzza for kneading dough must also not be used, because they are considered the same as kneading-troughs." Is this not self-evident? Because basins are open on all sides we might assume that the

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* *Vide* Leviticus vi. 21.

air surrounding it destroys the effects of the leaven, hence we are told that such is not the case.

MISHNA: If a Gentile lent money to an Israelite, taking as security leavened articles, such articles may be used after the Passover; but if an Israelite had lent money to a Gentile on leavened articles they must not be made use of after the Passover.

GEMARA: It was taught: If one man owed another money and pledged his property as security for the debt, and the debt becoming due had not been paid, Abayi said the articles pledged must be considered the property of the creditor from the time the loan was made, while Rabha said, "Only from the moment the debt became due." If the debtor sold or consecrated his property before the debt fell due, all agree that the creditor can recover such property, or (if consecrated) redeem it (for a trifle), in order that it may not be said that consecrated articles can be recovered gratuitously. Wherein they do differ is, if the creditor had, prior to the time the debt fell due, transferred his eventual right to the property to another or consecrated it. Abayi holds, that such transfer is valid in the event of consecration; it holds good because, as we see that the debt was not paid when it became due, the pledged articles are considered the property of the lender from the time the money was loaned. Rabha, however, maintains, that on account of his having no right to the property until it was forfeited, the transfer or consecration, whichever the case may be, is of no account, because if the debtor would have had the money he would have redeemed his pledge, consequently the pledge belongs to him until the time has expired.

An objection was made based upon our Mishna: "If a Gentile lent money to an Israelite upon leavened articles, they may be used after the Passover." Thus, according to Abayi, who holds that the right of possession is vested in the creditor from the moment the loan is made, it would be correct, because during the Passover the leavened articles were the property of the Gentile; but according to Rabha, who holds that the right of possession is not the creditor's until the property is forfeited, the leavened articles were the property of the Israelite during the Passover, how can they then be lawfully used? In this case the Mishna refers to an instance where the pledged articles were deposited with the creditor, as we have learned in a Boraitha: "If a Gentile pledged a large loaf (used as a wedding-cake) with

an Israelite on Passover, the Israelite does not transgress the law prohibiting leaven to be seen or found with him. If the Gentile, however, told him that thenceforth that loaf should be his, the Israelite by accepting it would commit such a transgression"; hence Rabha's opinion is borne out.

The rabbis taught: If there was a store of wine and bread belonging to an Israelite, and Gentile and Israelitish laborers worked there, the Chometz found therein after the Passover must not be used, much less eaten. If it was a store belonging to a Gentile and Israelitish laborers worked there, the Chometz found there after the Passover may be eaten, and so much the more be used.

MISHNA: Leaven that had been covered by fallen ruins must be considered as annihilated and removed. Rabbon Simeon ben Gamaliel says: "Only then, if it is covered to such an extent that a dog cannot drag it out."

GEMARA: Said R. Hisda: Nevertheless, the man should in mind renounce the leaven.

The Mishna states: "If it be buried to such an extent that a dog cannot drag it out." We have learned in a Boraitha: "How much is that? Three spans."

R. A'ha the son of R. Joseph asked R. Ashi: "Samuel said: There is no better way of hiding money than by burying it in the ground. Should it be buried to a depth of three spans also?" and he answered: "In the case of the leaven it is essential that the dog should not scent it, hence three spans are necessary; but when burying money it is only required to hide it from view and a lesser depth is sufficient." What should the depth be, however? Said Raphram bar Papa of Sikhra: "One span."

MISHNA: If any person should eat leavened heave-offering during the Passover by mistake, he must pay the principal and a fifth part * in addition; but if he ate it wilfully, he is exempt from the obligation of making restitution and also from payment of its value as wood (fuel) in case of the heave-offering being unclean.

GEMARA: The schoolmen propounded a question: "In what manner must the person make restitution, according to the quantity consumed or according to the value thereof? We do not ask concerning a case where the value of the article con-

* *Vide* Leviticus xxii. 14.

sumed had been greater and had subsequently depreciated; *f.i.*, if it had originally been worth four zuz and later only one. In that case he must certainly refund its original value, for there is no difference between his case and that of a robber, concerning whom we have learned in a Mishna, that when a robber makes restitution for a pillaged article he must do so in accordance with the value of such article at the time it was purloined. We ask, however, concerning an instance of where the article consumed had enhanced in value; *f.i.*, it had been worth one zuz and subsequently rose to the value of four zuz. Should he restore the article according to the quantity or according to the value, *i.e.*, if he had only eaten the worth of one zuz, should he restore the equivalent of that amount?"

Said R. Joseph: "Come and hear: 'If he ate dried figs and repaid with dates, may he be blessed'; thus we have learned in a Boraitha. If he paid in accordance with the quantity, *i.e.*, he ate a measure of dried figs which is only of the value of one zuz and made restitution with a like measure of dates which was worth four zuz, it is obvious why he should be blessed; but if he restored only the value of the dried figs with dates of equal value, why the blessing?"

Rejoined Abayi: "He may have only refunded the value of the figs by an equal value in dates, but nevertheless he may be blessed on account of making restitution for a less salable article with one that is more easily marketable."

An objection was made based upon our Mishna: "Our Mishna states, that 'he must pay,' etc. If he must restore the leavened heave-offering in equal measure it would be correct, but if he must refund the pecuniary equivalent therefor, how can this be done? Leavened articles have no pecuniary value on Passover?" Our Mishna is in accordance with R. Jose the Galilean, who holds that benefit may be derived from leavened articles on the Passover. How then will the latter clause of the Mishna correspond? Why should he be exempt from repayment if he had eaten the leavened heave-offering wilfully? According to R. Jose, benefit may be derived therefrom on Passover? He holds with R. Nehunia ben Hakana of the following Boraitha: R. Nehunia ben Hakana says that the Day of Atonement is put on a par with the Sabbath in the event of a violation of the law concerning either of the two days. (*I.e.*, if a man violate the Sabbath and by such violation cause damage to another, he need make no restitution for the damage inflicted

from the fact that he has committed an offence punishable with death by stoning; should he have done likewise on the Day of Atonement, the fact that he incurs the punishment of Kareth (being cut off) also exempts him from making restitution.* Thus in this case, where by eating leavened heave-offering the man incurs the punishment of Kareth, he need not make restitution for the article consumed.)

This case presents a difference of opinion between Tanaim, as we have learned: If a person had eaten leavened heave-offering on Passover, he is exempt from the obligation of making restitution and also from payment of its value as wood (fuel). Such is the decree of R. Aqiba. R. Johanan ben Nouri, however, holds him liable. Said R. Aqiba to the latter: "What benefit does a man derive from eating leaven on Passover?" and he answered: "What benefit can a man derive from eating unclean heave-offering at any time of the year, and still he is obliged to refund its value?" and R. Aqiba rejoined: "While a man must not eat unclean heave-offering he may otherwise make use thereof, as fuel; how canst thou compare this to leaven on Passover, which must not be used in any manner? The only comparison which can be made between the two can be made by comparing grapes or berries which had become unclean heave-offering and cannot even be used as fuel and leaven on Passover. If such grapes or berries *had* been eaten, I say, no restitution need be made." This difference of opinion refers only to such heave-offering as had been set aside and become leavened before the Passover; but if a person had set aside leavened articles as heave-offering on Passover it cannot be accounted heave-offering at all, for it does not accept of the sanctification of heave-offering.

We have learned in another Boraitha: It is written [Leviticus xxii. 14]: "And he shall make good unto the priest the holy thing." This signifies that he must make good the thing eaten with another that can become holy, but if a man eat leavened heave-offering on Passover, he need not make restitution even for its value as wood (fuel). Such is the dictum of R. Eliezer ben Jacob. R. Eliezer Hasma, however, holds him liable for restitution. Said R. Eliezer ben Jacob to the latter: "What benefit does a man derive from eating leaven on Passover?" (and he answered in the same manner as R. Johanan answered

* The sages do not concur in this opinion of R. Nehunia where the punishment of Kareth is incurred.

R. Aqiba. Whereupon R. Eliezer ben Jacob made the same rejoinder as R. Aqiba to R. Johanan ben Nouri, and the conclusion was, that) R. Eliezer Hasma said: "The priest can make use of such leavened heave-offering as food for his dog or as fuel for his stove."

Abayi said: "R. Eliezer ben Jacob, R. Aqiba, and R. Johanan ben Nouri all agree, that no benefit may be derived from leaven on Passover, and R. Aqiba differs with R. Johanan ben Nouri only as follows: R. Aqiba holds, that restitution for holy things must be made in accordance with the value of the article consumed, while R. Johanan ben Nouri maintains, that restitution must be made in accordance with the quantity thereof." Is this not self-evident? We might assume, that their point of variance does not concern the value or the quantity of the article consumed, but whether any benefit may be derived from leaven on the Passover or not; hence we are told by Abayi that such is not the case. Whence does Abayi adduce that such is not the case? Because otherwise R. Johanan ben Nouri would have answered R. Aqiba as R. Eliezer Hasma answered R. Eliezer ben Jacob.

The master said: "If leaven was set aside as heave-offering on Passover, all agree that it cannot be accounted heave-offering." Whence do we adduce this? Said R. Na'hman bar Itz'hak: "From the passage [Deut. xviii. 4]: 'And the first shearing of thy sheep shalt thou give *him*.'" Thus we see that it is written "give *him*," but not for fuel.

R. Huna the son of R. Jehoshua objected: "We have learned, that heave-offering must not be set aside from unclean (grain) to serve for clean (grain), but if this was done unintentionally, the heave-offering is valid." Thus the heave-offering is nevertheless unclean and must not be eaten; still the priest may use it for fuel (and it is nevertheless valid?). This presents no difficulty: In this latter instance the heave-offering at some time could have been eaten by the priest (when it was still clean), while in the case of leaven on Passover the priest never had an opportunity to use it for himself, but it could at any time only have been used as fuel. How should this be understood? For instance, if the article whereof the heave-offering was to be set aside had become leavened while still growing.

How is it, however, if the article had become leavened after it had been reaped? Can it be accounted heave-offering? R. Na'hman bar Itz'hak answered: "Yea; 'This is the interpreta-

tion of the angels and this is the resolve of the Most High' [Daniel iv. 21], and it is also decided in the colleges as I have said."

Subsequently, when R. Huna the son of R. Jehoshua came from Palestine, he gave as a reason why leaven set aside as heave-offering on Passover is not accounted heave-offering the following: "It is written [Deut. xviii. 4]: 'The first fruit of thy corn,' etc., which means that the first of fruit should be given to the priest and the remainder should be used by the donor; but when the remainder cannot be used, as was the case with leaven on Passover, the first cannot be given as heave-offering to the priest."

MISHNA: A person acquits himself of the duty (of eating unleavened bread) on Passover with the following articles: With cakes made of wheat, barley, spelt, rye, and oats; also with Demai (grain of which it is doubtful whether the legal dues had been separated), with first tithes of which the heave-offering had been taken, with the second tithes, and with consecrated things which have been redeemed. Priests (acquit themselves of the duty) with the first of the dough, with heave-offering, but not with (grain) which is still mixed (untithed), nor with the first tithes of which heave-offering has not yet been taken, nor with unredeemed second tithe and consecrated things not redeemed. Neither with cakes of thanksgiving-offering nor the thin cakes of the Nazarite's offering, if they had prepared them for their own use; but if prepared for public sale, they may acquit themselves of the duty (of eating unleavened bread on Passover) therewith.

GEMARA: We have leaned in a Boraitha: Spelt is considered grain, and rye and oats are considered cereals.

With the articles enumerated in the Mishna a person acquits himself of the duty, but not with rice or millet? Whence do we know this? R. Simeon ben Lakish and also the disciples of R. Ishmael said; and likewise the disciples of R. Eliezer ben Jacob taught: "It is written [Deut. xvi. 3]: 'Thou shalt not eat therewith any leavened bread. Seven days shalt thou eat therewith unleavened bread,' which signifies, that only such things should be used for unleavened bread which can become leavened; but rice and millet can never become leavened, only putrid." Our Mishna is not in accordance with the opinion of R. Johanan ben Nouri, who said, that rice and millet are also grain, that they *may* become leavened, and that one *may* acquit himself of his duty therewith.

Rabba bar bar Hana said in the name of Resh Lakish: "Dough which was kneaded with wine, oil, or honey, and becomes leavened, does not make the owner amenable to Kareth, if he had eaten it."

R. Papa and R. Huna the son of R. Jehoshua sate before R. Idi bar Abhin, and the latter was slumbering. Said R. Huna the son of R. Jehoshua to R. Papa: "What reason did Resh Lakish have for his dictum?" and he answered: "Because the above passage [Deut. xvi. 3] implies, that only such things as can become leavened may be used for unleavened bread on Passover he holds that the dough in question being rich, and poor dough only being permissible for unleavened bread, it is not an offence punishable by Kareth to eat such (rich) dough." In the meantime R. Idi awoke and said to them: "Youngsters! Thus was the reason of Resh Lakish: 'The dough was made with juice of fruit and not with water, and juice of fruit cannot make dough leavened.'"

"*Also with Demai.*" (The discussions concerning this citation of the Mishna occur many times in the Talmud and have been left in the Tract Berachoth (Benedictions), where they will appear once for all. See Tract Erubin, page 71.)

"*Priests—with the first of the dough.*" Is this not self-evident? We might assume that the unleavened bread for Passover must be valid for all alike, and as the first of the dough, etc., cannot be eaten except by priests only, they should not be used to discharge the obligation (mentioned); hence we are told by the Mishna that they may, because the verse reads Matzoth (the plural of Matzoh), implying that all kinds of Matzoth may be used.

The rabbis taught: "We might assume that a man may acquit himself of the duty of eating unleavened bread with grain of which all the legal dues had not yet been separated, *f.i.*, grain of which heave-offering had been separated but not the heave-offering of the first tithes or of which first tithes only had been taken, but not second tithes or even such of which only the tithes for the poor had not been taken; therefore the passage quoted states, that 'thou shalt not eat therewith any leavened bread: seven days shalt thou eat therewith unleavened bread'; and this implies, that only such things should be eaten as would make one culpable if eaten in a leavened state only; but not such as would make a man culpable for other reasons."

What has become of the prohibition regarding the eating of leaven in that event? The rabbis are in accord with R. Simeon, who holds that a twofold prohibition cannot apply to one and the same thing, as we have learned in a Boraitha: "R. Simeon said: One who eats carrion on the Day of Atonement is free of the sin of violating that day."

The rabbis taught: Shall we assume that a man may acquit himself of the duty of eating unleavened bread with the second tithes, which he had brought to Jerusalem? Therefore it is written [Deut. xvi. 3], "The bread of affliction," which signifies, that only bread which can be eaten during affliction may be used; but second tithes, which must be eaten with joy (according to the passage [Deut. xxvi. 14], "I have not eaten thereof in mourning"), cannot be used. So said R. Jose the Galilean. R. Aqiba, however, said: "Because it is written Matzoth (the plural of Matzoh) and it is repeated several times, even second tithes are included." Why, then, is it called bread of affliction? This implies, that the dough should not be kneaded with wine, oil, or honey. [What could R. Aqiba, however, say to the claim of R. Jose, that second tithes cannot be eaten as "bread of affliction"? R. Aqiba can say: Is it then written "bread of affliction"? it is written "poor bread." *]

Does R. Aqiba, then, hold that one cannot acquit himself of the duty with dough kneaded with wine, oil, or honey? Have we not learned in a Boraitha: It is not lawful to knead dough in Passover with wine, oil, or honey, and if this was done, Rabbon Gamaliel decrees that it should be immediately burned; the sages, however, say, that it may be eaten. R. Aqiba, commenting thereon, said: "At one time I took my Sabbath-rest in the house of R. Eliezer, and R. Jehoshua and I kneaded them dough with wine, oil, and honey, and they did not object?" [Although (according to Rabbon Gamaliel) this must not be done, if it *was* done, cold water may be poured on on the festival, in order to keep it from becoming leavened, and the sages said: "Such dough as may be kneaded may also be kept from becoming leavened by pouring water thereon on a festival; but such as must not be kneaded must also not be kept from becoming leavened in the manner described. All agree, however, that on Passover dough must not be kneaded with tepid water?"]

* The difference between the two is as follows: The Hebrew term for affliction is Oni, written Ayni, Nun, Vav, Iod; and the term for "poor" is also Oni, but is written Ayni, Nun, Iod, and in the verse it is spelled in the latter manner.

This presents no difficulty. On the first day of the Passover one cannot acquit himself of the duty of eating unleavened bread with dough kneaded with wine, oil, or honey; but on the remaining days such dough may be used, as was told by R. Jehoshua to his children: "On the first day (of Passover) ye shall not knead the dough for the unleavened bread with milk; but on the remaining days ye may do so." (It is allowed to knead dough with milk, according to the opinion of Rabhina, providing it is made so that it can be distinguished from the other.)

The rabbis taught: Shall we assume that a man may acquit himself of the duty of eating unleavened bread with firstfruits* (brought as a meat-offering on Pentecost)? To that end it is written [Exod. xii. 20]: "In all your habitations shall ye eat unleavened bread," which signifies, that only such things as may be eaten in all your habitations may be used for the acquittal of the duty of eating unleavened bread, but such things as can be eaten only in Jerusalem, as is the case with the firstfruits, cannot serve for that purpose. Such is the dictum of R. Jose the Galilean. R. Aqiba, however, says, that the reason firstfruits cannot serve the purpose is because as the unleavened bread is put on a par with the bitter herbs which cannot be taken from the firstfruits (as no firstfruits were taken from herbs); hence the unleavened bread also cannot be taken from the firstfruits. Lest it might be said, on the other hand, that as the bitter herbs are prepared from articles of which kind no firstfruits can be brought, leavened bread which would serve for the acquittal of the obligation should be made only from material of a kind of which no firstfruits can be brought; but wheat and barley, of which firstfruits *are* brought, should be deemed unfit for such purpose; hence the passage repeats Matzoth (plural for Matzoh), which includes all kinds. If that term includes all kinds, why not also firstfruits? R. Aqiba retracted his statement concerning the comparison between bitter herbs and unleavened bread, as we have learned in the following Boraitha: Shall we assume that a man may acquit himself of the duty of eating unleavened bread with firstfruits? To that end it is written [Exod. xii. 20]: "In all your habitations shall ye eat unleavened bread," which signifies, that only such things as may be eaten in all your habitations may be used for the acquittal of the

* *Vide* Leviticus ii. 12–14.

duty of eating unleavened bread, but such things as are eaten only in Jerusalem, as is the case with firstfruits, cannot serve the purpose. Accordingly, it might also be presumed that unleavened bread should not be made with second tithes, which should also be eaten in Jerusalem: therefore Matzoth is repeated several times in the passage and made to include even second tithes. If this be so, why are firstfruits excluded, while second tithes are included? We include second tithes because they may be eaten under certain circumstances in any place, as R. Elazar stated: "When second tithe becomes unclean even in Jerusalem, it may be redeemed, and with the ransom-money things may be bought which can be eaten in any place whatever, and firstfruits which cannot be eaten outside of Jerusalem under any circumstances are excluded." Who holds, then, that unleavened bread may be made with second tithes? R. Aqiba, and he excludes firstfruits by reason of the passage quoted [Exod. xii. 20], and not through comparison with bitter herbs. Thus we see that he retracts his former statement, as mentioned above.

The rabbis taught: "It is written 'bread of affliction'; hence pancakes (made of flour, boiling water, and oil) and large loaves cannot serve for the acquittal of the duty of eating unleavened bread." Shall we assume, then, that only coarse (barley) bread can serve that purpose? Therefore Matzoth is repeated in order to add that any kind may be used, even such as were as fine as those used in the time of King Solomon. For what purpose, then, is it written "bread of affliction"? In order to exclude the two kinds mentioned; and whence do we know that large loaves (called in Hebrew "Ashishah") are considered articles of value which cannot be called "bread of affliction"? From the passage [II Samuel vi. 19]: "And he dealt out to all the people, to the whole multitude of Israel, to both men and women, to every person one cake of bread, and an Ashpar (good piece of flesh), and one Ashishah." Said R. Hanan bar Abba, by an Ashpar is meant the sixth part of a young bullock and by an Ashishah is meant a loaf which was made of flour to the quantity of a sixth of an Ephah (a half-saah), and this is at variance with the opinion of Samuel, who maintains that an Ashishah is a flagon of wine; as it is written [Hosea iii. 1]: "Who turn themselves after other gods, and love Ashishai (flagons of wine)."

The rabbis taught: "Thick loaves must not be baked on the

Passover. Such is the decree of the school of Shammai, but the school of Hillel permit this to be done." How thick should they be? Said R. Huna: "One span, because the thickness of the showbreads was one span." R. Joseph opposed this: How can Beth Hillel permit the loaves on Passover to be one span thick, for what have the showbreads in common with Passover loaves? In the case of showbreads there were priests who were thoroughly competent for their work; but the Passover loaves are prepared by ordinary people. The showbreads were prepared with the utmost skill, and how can they be compared to ordinary loaves? For the former dry wood only was used, while for the latter even damp wood is used? The former were baked in a hot oven, while the latter are often baked in a cooler oven; for the baking of showbreads an iron stove was used, while for the Passover loaves an earthen oven was considered sufficient. Said R. Jeremiah bar Abba: I especially asked our Rabbi (meaning Rabh), and according to another version R. Jeremiah bar Abba said in the name of Rabh, who asked *his* (Rabh's) master (who was R. Jehudah the Holy) concerning this question, and he answered: By "thick loaves" is meant in reality a large quantity of dough, and the reason that this should not be baked on Passover is in order to prevent the preparation of bread on the festival for the coming week-days. Why does the Tana teach this with especial reference to Passover? It applies to every other festival? Because he was at the time teaching concerning the Passover. In another Boraitha we were distinctly taught, instead of "on the Passover," on a festival.

The rabbis taught: "One may acquit himself of the duty of eating unleavened bread on the Passover with coarse or fine bread, and even with cakes adorned with figures, although the sages said that it is not allowed to bake cakes adorned with figures on Passover."

Said R. Jehudah: "This question was propounded by Baithus ben Zunin to the sages: 'Why is it not allowed to prepare figured cakes on Passover?' and they answered: 'Because the woman in preparing them tarries over her work, and in the meantime the dough becomes leavened.' Rejoined Baithus: 'Could she not impress the figures on the cakes with a press and thus facilitate the work?' and the sages replied: 'In that event it would be said, that all figured cakes are prohibited, with the exception of those made by Baithus.'"

Said R. Elazar bar Zadock: "I once went with my father to

the house of Rabbon Gamaliel, and he was served with figured cakes on Passover. Afterwards I asked my father whether it was not a fact that the sages had prohibited the use of figured cakes on Passover, and he replied: 'My son, only such as are made by ordinary people are prohibited, but not such as are prepared by bakers.'"

R. Jose said: "If such cakes are made, they should be made as thin as wafers, but not as thick as loaves, because in the latter event they might become leavened."

R. Assi said: "Dough of second tithe, according to R. Meir (who holds second tithe to be consecrated) is exempt from the obligation of first dough (due the priests); but according to the sages it is not. Unleavened bread baked from such dough cannot, according to R. Meir, serve for the acquittal of the obligation of eating unleavened bread on the Passover, while according to the sages it may. According to R. Meir the citron, which must be used on the first day of the Feast of Tabernacles,* must not be bought with the proceeds of second tithes, while according to the sages it may."

"*Neither with cakes of thanksgiving-offering nor the thin cakes of the Nazarite's offering,*" etc. Whence do we adduce this? Said Rabba: "From the passage [Exod. xii. 17]: 'And ye shall observe the unleavened bread,' which signifies, that only dough which is observed for unleavened bread may be used, but not such as is observed for any other purpose, as is the case with that of the thanksgiving-offering and the Nazarite's offering."

R. Joseph, however, said: "This may be inferred from *this* passage: 'Seven days shall ye eat unleavened bread,' which signifies, that only such bread should be eaten as can be used for the entire seven days, but the thanksgiving and Nazarite offering can only be eaten on one day and night."

There are two Boraithas, one of which bears out the dictum of Rabba, while the other bears out that of R. Joseph.

Why are passages needed upon which to base the decree of the Mishna? Is it not sufficient that the cakes of both offerings mentioned are made of rich dough (*i.e.*, with oil)? Said Samuel bar Itz'hak: The quantity of oil mixed with the dough is so insignificant that it is not counted; for a quarter of a lug of oil is used for a great many cakes. Then let it be said that the rea-

* See Leviticus xxiii. 40.

son why those cakes cannot be used is because they cannot be eaten anywhere except in Jerusalem? Said Resh Lakish: "From the Mishna itself, we can infer that these two offerings were eaten not alone in Jerusalem, but also in Nob and in Gib'an."

We have learned in a Boraitha: R. Ilayi said: I asked R. Elazar whether the two kinds of cakes mentioned could serve for the acquittal of the duty on Passover, and he answered that he had not heard whether they could or not. So I went out and asked R. Jehoshua, and he answered: "It was decided, long ago, that such as were made for personal use could not, but those prepared for public sale could be used." When I came back to R. Elazar and told him what R. Jehoshua had said, he replied: "Is this (the result of) a covenant? Was it so decreed to Moses on Sinai, that no reason should be given for the enactment?"

What is truly the reason for this ordinance? Said Rabba: "An article prepared for public sale is of a necessity made conditional; for the intention is, if the article is not sold, the maker will use it for himself."

MISHNA: The duty of eating bitter herbs on the Passover may be acquitted with the following herbs: with lettuce, wild endive and garden endive,* with Harhabinah,† with bitter coriander,‡ and bitter herbs (horseradish), either fresh or in a dried state, but not if pickled, boiled, or cooked in any way; they may also be combined to the size of an olive, and the obligation is discharged if the stalks of them only had been used; also with Demai (when it is doubtful if they had been tithed), or such as are of the first tithe of which the heave-offering had been taken, or of the second tithe, or of redeemed consecrated things.

GEMARA: The disciples of R. Samuel taught: "The duty of eating bitter herbs may be acquitted with the following herbs: with lettuce, wild endive and garden endive, with Harhabinah and bitter coriander, with oleander § and Harginin and Hardafni ‖

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* Hebrew for endive is Thamchah. According to De Pomis, it is the *Carduus marrbium.*" Others consider it to be the green tops of horseradish.

† A species of nettle. Landau's dictionary translates it *Urtica.*

‡ According to De Pomis, this should be the *Lactuca agrestis* (wild lettuce).

§ Oleander is poisonous, but here a certain non-poisonous species is meant.

‖ In explanation of this word, see Hamashbir (Warsaw, 58), opposing the Aruch in this matter.

(kinds of herbs having a bitter taste)." R. Jehudah said: "Also with lettuce of Julin and of Galin."

Likewise said R. Ilayi: "I heard from R. Eliezer that (Akarbanin) hart's tongue (*scolopendrium*) may be used, and I inquired among all his disciples, seeking one to corroborate his statement, but could not find one; and when I came to R. Eliezer ben Jacob, he admitted that R. Eliezer had made that statement."

R. Jehudah said: "All herbs which when cut emit white juice may serve for the acquittal of the duty of eating bitter herbs on Passover," and R. Johanan ben Berokah, that such as when cut should become a shade paler. Anonymous teachers, however, say that all bitter herbs emit white juice, and become a shade paler when cut. Said R. Johanan: "From these teachings we can infer, that all the bitter herbs enumerated so far are juicy and when cut become a shade paler." Said R. Huna: "The Halakha prevails according to the decree of the anonymous teachers."

Rabhina noticed that R. Aha the son of Rabha always endeavored to have a certain kind of bitter herbs (horseradish) on Passover. Said he to R. Aha: "It is thy opinion that this kind of herbs is to be desired because it is more bitter; but have we not learned in the Mishna, and also from the disciples of R. Samuel, that lettuce stands first, and R. Oshiya also said that lettuce was more preferable. Even Rabha said that lettuce is called Hassa (in Arabic), which signifies, 'God has mercy on us,' and R. Samuel ben Nahmeni said in the name of R. Jonathan: 'Why are the Egyptians compared to bitter herbs? Because, as the bitter herbs are first soft and then hard, so were also the Egyptians: at first they treated the Israelites with kindness and afterwards with harshness?'" Answered R. Aha the son of Rabha: "I shall not do so any more."

R. Rehumi said to Abayi: "Whence do we know that bitter *herbs* must be used? The passage says 'Maror' (bitterness)? Can this not refer to the gall of a Khuphia (a certain kind of fish)?" and he replied: "We adduce this from the Matzoth. As Matzoth should be made of the fruit of the earth, so should also the bitterness be derived from the fruit of the earth." "Cannot this also refer to oleander (which is poisonous)?" queried R. Rehumi, and Abayi replied: "Fruit of the earth is required, and not fruit of trees." "Cannot this also refer to Harzapha?*"

* Probably myrrh, or Greek πυρέτρον.

Answered Abayi: "It must be equal to Matzoth in that it may be bought with the proceeds of second tithes, and Harzapha cannot be bought therewith, as it is not an edible article."

Said Rabba bar R. Hanin to Abayi: "As it is written 'Maror' (bitterness), (one kind), why should the bitterest of all kind of herbs be used?" and Abayi replied: "In one place it is also written 'Merarim' [Numb. ix. 11], which signifies more than one." "Perhaps it means but two kinds?" Said Abayi: "As Matzoth may be of several different kinds, so the bitter herbs should be of several different kinds."

"*Either fresh or in a dried state,*" etc. Said R. Hisda: "This refers only to stalks of the herbs, but if leaves of the herbs are used they may only be fresh but not dried." If the latter clause of the Mishna, however, refers to stalks, then should it not be assumed that the first clause refers to the leaves? Nay; the Mishna merely explains that the stalks only may be used, fresh or dried.

The rabbis taught: If the leaves are withered the duty of eating cannot be discharged therewith; but upon the authority of R. Eliezer ben Zadock it was said, that even herbs with withered leaves may be used.

MISHNA: It is prohibited to soak bran on the Passover to feed fowls therewith; but it is permitted to pour boiling water on bran. A woman must not soak the bran which she takes with her to the bath, but must use it in a dry state for the purpose of rubbing her body therewith. A person must not masticate grains of wheat to put it (as a poultice) on his wound, because they will become leavened.

GEMARA: The rabbis taught: The following things can never become leavened: "Baked, cooked, and scalded articles." Cooked articles do not become leavened; but can they not become leavened while being cooked? Said R. Papa: "By cooked articles is meant, articles which had previously been baked and then cooked."

We have learned in a Boraitha: "If water drip on flour even all day long, the flour cannot become leavened." Said R. Papa: "This is the case only if the water drip drop by drop."

The disciples of R. Shila said: "Vathka (a dish made of salt, meal, and oil) may be used on Passover." Have we not learned that Vathka must not be used? This presents no difficulty. Such as was made with water and salt must not be used, but Vathka made with oil and salt is permitted.

Mar Zutra said: "The bottom of a cooking-pot must not be strewn with dry flour, lest it be not thoroughly cooked and become leavened." R. Joseph said: "A man should not pour boiling water on two grains of wheat together, lest one become attached to the other and the water will not reach every particle of the grain, in which case it may become leavened."

The rabbis taught: "It is not allowed to soak barley on Passover, but if it was soaked it is not to be used, only if the barley fall asunder, whereas if it remained whole it may be used." Said R. Jose: "Even if it be observed that they are about to fall asunder, it is permitted to pour vinegar on them, which will prevent their becoming leavened." Said Samuel: "The Halakha does not prevail according to R. Jose."

R. Hisda said in the name of Mar Uqba: "The Boraitha which states that if the barley fell asunder it must not be used means to say, that even if they had not yet fallen asunder, but would when taken out, they must also not be used," and Samuel said: "Nay; it distinctly means to say, only if they had already fallen asunder," and so Samuel acted on one occasion in the village of Bar Hashu.

Rabba said: "A man who wishes to guard his soul (*i.e.*, a very pious man) should not soak grain on Passover." Why only a man who wishes to guard his soul? Does not the Boraitha prohibit this to all alike? Rabba means to say, that one who wishes to be pious should not even soak wheat, which is less liable to become leavened than barley. Said R. Na'hman: "One who would obey the dictates of Abba (Rabba) will be compelled to eat mouldy bread; for at R. Huna's house wheat was soaked, and also at the house of Rabha bar Abin," and Rabha said: It is a duty to soak wheat, for it is written, "Ye should observe the unleavened bread," and if it be not soaked, what would there be observed? Shall we say, the kneading should be observed; did not R. Huna say, that even with unleavened dough of a Gentile the obligation of eating Matzoth may be discharged, providing a piece of unleavened bread of the size of an olive is eaten afterwards? Thus we see that the piece of unleavened bread must be eaten afterwards and not first, because the Gentile's dough was not originally intended to serve for Matzoth. If, therefore, the baking alone should be observed, the dough could be baked for the express purpose of using it as Matzoth; the same applies to kneading the dough; hence the observing of the unleavened bread must take place

before the dough is kneaded, *i.e.*, from the time the wheat is soaked.

Whence do we know that the unleavened bread must be observed before being kneaded? Did not R. Huna say that the dough of a Gentile may be used, and a piece of unleavened bread must be eaten afterwards only because the dough was not originally intended to serve as Matzoth, but if the dough was made by the Gentile especially for that purpose, would it not be sufficient to discharge the obligation of eating Matzoth therewith?

Notwithstanding the fact that Rabha's assertion was thus refuted, he did not retract; for he said to the sheave-binders in the field: "When ye bind the sheaves, bear in mind that they are intended for the preparation of Matzoth"; whence we see that he holds that the unleavened bread must be observed from beginning to end.

The mother of Mar, the son of Rabhina, would buy her wheat for the Passover directly from the field.

It happened that a ship with a cargo of wheat was sunk in the river of Hishta. So Rabha advised that the (recovered) wheat should be sold in small lots to Israelites, in order that they could consume it before the Passover set in.

The rabbis taught: A cooking-pot must not be strewn with flour on Passover, and one who would do this should first strew the flour and then pour vinegar thereon, while according to others, the vinegar may be poured on first. Who is meant by the others? Said R. Hisda: "R. Jehudah, who holds (in Tract Sabbath), that on Sabbath spices may be put in all vessels or cooking utensils, except in such as contain vinegar, because vinegar facilitates cooking." Ula, however, said that this must not be done under any circumstances, for concerning a Nazarite it is said: "Go away! go away! Do not draw nigh unto the boundaries of the vineyard (meaning: One should avoid even such things as might appear as prohibited, lest the prohibition itself be disregarded)."

R. Papa permitted the bakers in the house of the Exilarch to strew a pot with dry flour, and Rabha would even strew his own pots with dry flour.

MISHNA: It is unlawful to put flour in Harosoth (sauce)*

* Presumably a mixture of almonds, vinegar, and spice, in which food was dipped by the ancients.

or in mustard, but if this be done, it should be immediately eaten. R. Meir, however, prohibits it. The Passover sacrifice must not be boiled in any liquid or in juice of fruit; but it is permitted to moisten it (after it has been roasted), or to dip it (in a liquid when eaten). Water used by a baker (to cool his hands while kneading the dough for Matzoth) must immediately be thrown away, because it becomes leaven.

GEMARA: R. Kahana said: They differ only concerning mustard; but as for Harosoth (sauce), all agree that (if flour had been put into it) it must be burned. We have also learned to this effect in a Boraitha, viz.: "Flour must not be put into Harosoth, and if this be done the same must be immediately burned; and if it be put in mustard, R. Meir holds that it must be immediately burned, while the sages hold that it should be immediately eaten." Said R. Huna the son of R. Jehudah in the name of R. Na'hman, quoting Samuel: "The Halakha prevails according to the opinion of the sages."

Said R. Na'hman bar Itz'hak to him: "Concerning what does master hold, that the Halakha prevails according to the opinion of the sages, Harosoth or only mustard?" and he answered: "What is the difference?" Said R. Na'hman bar Itz'hak: "What about the statement of R. Kahana (just quoted)?" and he answered: "I have not heard his statement nor does it concern me."

"*The Passover sacrifice must not be boiled.*" The rabbis taught: It is written [Exod. xii. 9]: "Ye shall not eat of it raw (rare), nor in any wise sodden with water." Hence we see that it must not be boiled in *water;* but whence do we know that it must not be boiled in any other liquid? Say, that it is an *a fortiori* conclusion, for, whereas it must not be boiled in water, which does not interfere with its taste, it should not so much the more be boiled in any other liquid which might affect its taste.

Rabbi, however, said: "We infer this from the fact that it is written, 'nor in *any wise* sodden with water,' which signifies, that it must not be boiled in any liquid." Wherein do Rabbi and the rabbis differ? In a case of where the sacrifice is cooked in a pot without water. According to the rabbis it may be cooked in that manner, because no water is used nor is its taste affected, while Rabbi holds that it must not be cooked "in any wise."

What definition do the rabbis attribute to the passage "in

any wise" ? They explain according to the following Boraitha: "If a person boiled (the Passover sacrifice) and then roasted it, or first roasted and then boiled it, he is culpable." In the former case it is correct to hold the man culpable; but in the latter, if he had already roasted, what difference does it make if it was subsequently boiled ? This is not allowed, because it is written, "nor in *any wise* sodden with water."

The rabbis taught: Shall we assume, that a man would be culpable if he had boiled the sacrifice even after it had been thoroughly roasted ? Therefore it is written: "Ye shall not eat of it raw (rare), nor in any wise sodden with water." If it was rare and then sodden in water it makes a man culpable; but if it was thoroughly roasted, it does not. What is meant by thoroughly roasted ? Said R. Ashi: "If it was roasted brown."

The rabbis taught: We might assume, that if a man ate a raw piece of the Passover sacrifice of the size of an olive, he is culpable; therefore it is written: "raw, nor in any wise sodden with water;" but if not sodden with water, it does not make a man culpable. Shall we assume, then, that it may be eaten raw to commence with ? To that end it is written [ibid., ibid.]: "but roasted by the fire." What is meant by raw (rare) ? Said Rabh: "That is what the Persians call 'Abarnim' (rare)."

R. Hisda said: "If a thing is cooked on the Sabbath in the hot waters of Tiberias it does not constitute a culpable act; but it is a culpable act to cook the Passover-sacrifice therein." What is meant by the word "culpable" in this connection ? Said R. Hyya bar R. Nathan: R. Hisda plainly said: Not culpable (for stripes) but guilty of transgressing the ordinance concerning "roasted by the fire."

Abayi said: "If a man eats the Passover-sacrifice raw (rare) he is amenable to a double punishment by stripes, the same as if he eats it cooked, and if he eats it cooked and raw he is amenable to a triple punishment by stripes, because he transgresses two distinct commandments, viz.: 'Ye shall not eat it raw' and 'but roasted by the fire.'" Rabha, however, said: "For the violation of a negative commandment, which is derived from a positive regulation, no stripes should be inflicted." *

* Of the two statements in this paragraph, in the old edition the former is attributed to Rabha, while the latter is credited to Abayi; but the latter statement always appears in other portions of the Talmud as the opinion of Rabha; hence we have exchanged the places of the two names. In this we are borne out also by R. Joseph Karo in his commentary entitled "Keseph Mishna."

The rabbis taught: If a man had eaten part of the sacrifice of the size of an olive, raw, while it was yet day on the eve of Passover, he is not culpable, but if it had already become dark, he is guilty. If he had eaten a part of the sacrifice of the size of an olive, roasted, while it was yet day, he did not exclude himself from the company with whom he had combined for the sacrifice. If he had eaten the same, however, when it had become dark, he did exclude himself from the others.

The rabbis taught: "If he had eaten a roasted piece of the sacrifice while it was yet day on the eve of Passover, and a piece the size of an olive, raw, when it was already become dusk, he is culpable for both acts; because the roasted is held to be equal to the raw (*i.e.*, as he may eat the roasted only at night, he must not eat it during the day)." It is right, the act of eating a raw piece of the sacrifice is a culpable one, for the reason that it is expressly written: "Ye shall not eat it raw"; but as for the roasted sacrifice, it is written: "Ye shall eat it only at night," and from this it may be inferred that it should not be eaten during the day; hence it is a negative commandment derived from a positive, and it is known that the violation of such a commandment is only equal to the violation of a positive commandment? Said R. Hisda: "This is in accordance with the opinion of R. Jehudah, who maintains that even for the violation of such a commandment, punishment may be inflicted.*

"*Water used by a baker must immediately be thrown away*," etc. In one Boraitha we have learned, that the water must be thrown where it will run down, but not in a pit, where it will accumulate; while in another Boraitha we have learned, that it may even be poured into a pit. This presents no difficulty. The former Boraitha treats of a case where there is a large quantity of water, while the latter treats of a small quantity which is absorbed by the soil of the pit.

R. Jehudah said: A woman should not knead dough (on Passover) except with water "Shelanu."† R. Mathna repeated the same words in Papunia. On the morrow, all of the inhabitants came to him with jugs in their hands and begged him for water (thinking that the word "Shelanu" meant "our" and that he had the necessary water), whereupon he answered

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* This will be explained in Tract Tamurah, Chap. I.

† "Shelanu" has a twofold meaning. The more general definition is "our" or "of us," and the other, which is more seldom used, is "which has remained over night." See Appendix at the end of this Tract.

them: "I meant with water that had remained over night (debithu)."

Rabh preached: "A woman should not knead her dough in the glare of the sun, nor with water that had been heated by the sun. Also not with water that had been left over in a Muliar (teakettle), and should not remove her hands in general from the oven, until her bread is baked. She also requires two vessels filled with water. One to cool off her hands when kneading and the other to moisten her dough before putting it into the oven."

The schoolmen propounded a question: "What is the law if a woman did knead her dough with such water (as thou hast prohibited)?" Said Mar Zutra: "The bread will be lawful," while R. Ashi maintained that "it will *not* be fit for use." Said Mar Zutra: "Whence do I adduce my opinion? From the previous Boraitha, which teaches that, while it is not allowed to soak grain in water, if this was done, it does not make a man culpable unless the grain fell asunder," and R. Ashi replied: "Are all threads woven in the same (woof)? Where this was explicitly taught, it remains so, but where it was not taught, it is not so."

CHAPTER III.

REGULATIONS CONCERNING ARTICLES WHICH CAUSE TRANSGRESSION OF THE LAW PROHIBITING LEAVEN TO BE SEEN OR FOUND IN THE HOUSE OF AN ISRAELITE.

MISHNA: The law (prohibiting leaven to be seen or found in the house) on Passover is transgressed by the following articles: Babylonian Kuthach,* Median beer (made of wheat or barley), Edomite vinegar (made by the fermentation of barley and wine), Egyptian zeethum,† the dough of bran used by dyers, the dough used by cooks,‡ and the paste used by scribes (to paste the sheets of paper together). R. Eliezer says, also the ornaments used by women. This is the general rule: What is composed of any kind of grain can cause a transgression of the law of Passover, and they that become guilty of such a transgression incur the penalty attached to the transgression of a negative commandment§ (*i.e.*, a commandment commencing with "thou shalt not"); but not the penalty of Kareth (being cut off).

GEMARA: The rabbis taught: "Three things were said in reference to Babylonian Kuthach: It depresses the heart, blinds the eyes, and makes the body lean. It depresses the heart on account of the whey contained therein, it blinds the eyes on account of the salt, and makes the body lean on account of the mould (on the bread)."

They also taught the three things which cause much waste (in Tract Erubin, page 171).

They also taught: "Three things lessen waste, make the body erect, and increase the light of the eyes, and they are: Bread made of fine meal, fat flesh of a virgin she-goat, and

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* This is explained to be a mixture of mouldy bread with milk and salt, used as a sauce for food.

† According to the Talmud, this is a mixture of barley, salt, and wild saffron, while according to Pliny, who calls it "zythum," it is a medicine of Egyptian origin.

‡ A dough used to attract the impurities in a pot where food is boiling.

§ The penalty for such transgression is chastisement with thirty-nine stripes.

three-year-old wine. As a general thing, all things that are good for the eyes affect the heart and other parts of the body, while those that are good for the heart affect the eyes, excepting moist ginger* and pepper-pods and the three things mentioned above."

Median beer and Edomite vinegar are prohibited, because they are both made of barley.

What is Egyptian zeethum? R. Joseph taught: "A mixture of equal parts of barley, salt, and wild saffron," but R. Papa substitutes wheat for barley. The ingredients of this mixture are soaked, then parched over the fire, and afterwards ground. (When the liquid is fermented) it is usually drunk from Passover to Pentecost. One who is constipated is relieved thereby, and diarrhœa is stopped. For a sick person or a pregnant woman it is a dangerous beverage.

"*The dough of bran used by dyers,*" etc. This was explained to mean water of bran used to remove spots on the chest. (This is according to the explanation of Rashi in Tract Chulin and of Maimonides.)

"*The dough used by cooks,*" etc. This is explained to mean dough made of grain which had only been one-third mature, and when kneaded into dough and placed over a boiling pot of victuals would attract all the impurities in the pot.

"*Paste used by scribes.*" This was explained to mean glue; but R. Shimi of Huzana said, that this is a cosmetic used by the daughters of rich men for the hair, and the reason it is called "paste used by scribes" is, because the rich women would leave it for the use of the daughters of the poor scribes, and he does not concur in the opinion that it means glue, because it would in that event be called "paste used by shoemakers." Said R. Oshiya: "It is glue, and the reason it is called 'past used by scribes' is because scribes also paste their sheets together therewith."

"*R. Eliezer says also ornaments of women.*" What connection have ornaments with the Passover? Read instead of ornaments, paste used by women to adorn themselves, as R. Jehudah said in the name of Rabh: The daughters of Israel who have not yet attained the age of puberty, but have all the signs thereof, are ashamed in consequence, and the poor conceal those

* The Hebrew term which we render with ginger is Zangbila, and according to other versions it is supposed to be sandal-wood.

signs with chalk, the rich with fine meal, and daughters of princes with oil of myrrh, as is written in Esther ii. 12.

"*This is the general rule,*" etc. Said R. Jehoshua: If the general rule was made that all things which are composed of any kind of grain cause a transgression of the law of Passover, what need was there of enumerating all the articles mentioned in the Mishna? This was done in order to acquaint the people with the names of those articles in order that they might not commit an error, as it happened that a Palestinian came to Babylon, and having some meat in his possession asked for something to eat with the meat. He heard his host order that he be given Kuthach, and having heard the name Kuthach he refused to accept it.

They that become guilty, etc., incur the penalty attached to the transgression of a negative commandment. Who is the Tana who holds that suitable leaven combined with other ingredients, and unfit leaven by itself, also comes under the prohibition of the negative commandment? R. Jehudah said in the name of Rabh: "That is R. Meir," and R. Na'hman said: "It is R. Eliezer," as we have learned in a Boraitha: "For the transgression of the law with leaven of suitable grain the penalty is Kareth; but if combined with other ingredients the penalty is that attached to the transgression of a negative commandment. Such is the decree of R. Eliezer; the sages, however, maintain that with leaven proper the penalty is Kareth; but if combined with other ingredients no penalty whatever is incurred." Now, if R. Eliezer holds that the penalty for using leaven combined with other ingredients is the same as that attached to the transgression of a negative commandment, so much the more would the use of leaven itself, even if it be unfit, make one incur the same penalty.

We have learned a Boraitha in accordance with R. Jehudah: It is written [Exod. xii. 20]: "Nothing that is leavened shall ye eat," which means to include Babylonian Kuthach, Median beer, Egyptian zeethum, and Edomite vinegar. Shall we assume that these articles, if used, would make a man incur the penalty of Kareth? To that end it is written [ibid. 15]: "Whosoever eateth *leavened bread,* that soul shall be cut off," whence we infer, that only one who eats leavened bread made of suitable grain incurs the penalty of Kareth; but one who eats such as is combined with other ingredients only incurs the penalty attached to the transgression of a negative commandment. Now, then, who

is the Tana who holds that the use of leaven combined with other ingredients make one incur the penalty attached to the transgression of a negative commandment? R. Eliezer; but we do not learn that he classes unfit leaven in the same category as that of mixed leaven, and for the simple reason that he does not consider the use of unfit leaven a violation of the law. (Hence the Tana who also holds the use of unfit leaven to constitute a transgression of the law is R. Meir.)

Whence does R. Eliezer adduce that the use of leaven combined with the other ingredients constitutes a transgression of the law? From the passage, "Nothing that is leavened shall ye eat," and he means to say that "nothing" includes also leaven combined with the ingredients. How will he explain the "whosoever"* in the other passage [Exod. xii. 15]? That includes women, who must also not eat leavened bread on Passover.

Did not R. Jehudah in the name of Rabh say, that women are held to be equal to men as far as all prohibitory laws are concerned, on account of the passage [Numbers v. 6]: "If any man or woman commit any sin"? In this case a special passage prohibiting the eating of leavened bread by women is essential, for the following reason: The negative commandment prohibiting the eating of leavened bread and the positive ordaining the eating of unleavened bread [Deut. xvi. 3] being written together, we might assume that only those who are obliged to eat Matzoth must not eat Chometz; and as the women are not obliged to eat Matzoth, because the positive commandment ordaining the eating of Matzoth is dependent upon the time,† we might assume that women may eat Chometz; hence we are told by the passage, "Whosoever eateth leavened bread, etc., shall be cut off."

Now, if we have arrived at the conclusion that women must not eat Chometz, we may add, that they are also obliged to eat Matzoth, and this is in accordance with the opinion of R. Eliezer, who said, that women are *biblically* obliged to eat Matzoth; because the negative and positive commandments are consequent one upon the other, I say, that as they must observe

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* Both passages quoted contain the word "Kol," Hebrew for "all"; and the passages should read: "All that is leavened shall ye not eat" and "All who eat leavened bread shall be cut off," etc. Hence the analogous comparison made in the above paragraph.

† *Vide* page 71.

the negative commandment prohibiting the eating of Chometz, so must they also observe the positive commandment ordaining the eating of Matzoth.

Why is it adduced that the "all" (Kol) in the passage means to include women and to exclude leaven combined with other ingredients? Say, that the "all" also means to include leaven combined with other ingredients. Common sense precludes this supposition; because the passage refers to those who had eaten; hence if anything should be included, it must be that which is also capable of being eaten, but not things that are eaten, as leaven combined with other ingredients.

MISHNA: Should there be any dough in the (holes or) crevices of a kneading-trough, and there is as much as the size of an olive in any one place, it must be removed immediately; but if there be less than that quantity in any one place, it may be considered as not in existence, being so inconsiderable. Thus it is also with respect to defilement: If the owner, however, be particular about the dough, it constitutes an intervention (between the trough and possible defilement, and the trough is not rendered defiled); but if it is desired to leave the dough in the trough, it should be considered as an integral part of the trough.

GEMARA: "*If there be less than that quantity,*" etc. Said R. Jehudah in the name of Samuel: "This applies to a case where the dough was placed in the crevice of the trough in order to strengthen the trough; but if it is not there for that purpose it must be forthwith removed." Whence we infer, that even if there was a piece of the size of an olive in the crevice of a trough for the purpose of strengthening it, it must also be removed. We have learned to this effect in a Boraitha:

Dough which was placed in the crevices of a kneading-trough for the purpose of strengthening it does not constitute an intervention to defilement nor a transgression of the law of Passover; but if it be found in places where it was not necessary, in order to make the trough firmer, it *does* constitute an intervention and *does* cause a transgression of the law. All this is said of dough which was less than the size of an olive; but if it was of that size, even if it was used to make the trough firmer, it must forthwith be removed.

Said R. Na'hman in the name of Samuel: "If there were two pieces of dough each the size of half an olive in the trough and happened to be connected with a thread, they are considered

as a whole olive, provided when the thread is lifted both pieces are carried with it, otherwise they are not and may remain in the trough." Said Ula: "This applies to dough situated in the trough; but if the two pieces were not in a trough but in the house, and being connected by a thread would not be carried with the thread, if lifted, they must nevertheless forthwith be removed, lest they in some manner become joined and there will be leaven in the house to the size of an olive."

The rabbis taught: If bread had become mouldy and while unfit for a human being could be eaten by a dog, it is subject to defilement as long as it is of the size of an egg, and may be burned together with unclean things on Passover, even though it be itself clean (heave-offering). Upon the authority of R. Nathan it was said, however, that not being fit for a human being it cannot be subject to defilement.

The rabbis taught: If in a trough of the tanners flour had been put within the three days preceding the Passover, it should be removed; but if it had been placed prior to that time, it need not be removed. This is said of a case where no skins had been placed in the trough by the tanner; but if this had been done, even flour placed in the trough during the three days need not be removed. Said Rabha: "The Halakha prevails according to R. Nathan, and even if the flour was put in one day, yea, even one hour before Passover, it need not be removed."

"*If the owner, however, be particular about the dough,*" etc. How can defilement be compared to the laws of Passover. Concerning the latter it depends entirely upon the size, while as for the former, it depends upon whether the owner is particular about it or not? Said R. Papa: The Mishna should be explained thus: "So it is also with respect to defilement *on Passover*, if it be of the size prescribed on that festival; and 'if the owner be particular,' etc., refers to any other time of the year." How should this be understood? In this wise: If a reptile contaminated such dough on the Passover, and the dough, being of the size of an olive, is for the time being a prohibited thing; hence it serves as an intervention between the uncleanness (of the reptile) and the trough; but at any other time it depends whether the owner is particular about it or not. If he is, it proves an intervention; but if he intends to leave it in the trough, it does not.

MISHNA: Dull dough (which does not exhibit any signs of having risen) must not be used, if another dough which had been

kneaded at the same time and was of equal size and quality had already become leavened.

GEMARA: How is it if there is no other dough on hand (with which to compare the dull dough)? Said R. Abuhai in the name of Resh Lakish: "If it had lain the length of time it is required to walk from the tower of Nunia to Tiberias," which is a mile.

MISHNA: How can the first of the dough (due the priest) be separated on the Passover when it had become unclean? R. Eliezer says: "It should only be named after it had been baked." Ben Bathyra says, however, "It should be put in cold water." Said R. Jehudah to him: "This is not the leaven concerning which it is written, 'It shall not be seen nor found in thy house.' Therefore it may be separated, and left lying until evening, regardless of whether it become leavened or not."

GEMARA: It was taught: He who bakes on a festival for the coming week-days, R. Hisda says, incurs the penalty of stripes; but Rabba says, that he does not. R. Hisda says, that he incurs that penalty because he does not admit of the supposition that, had the man called guests, he could have consumed the entire quantity baked, while Rabba holds, that *because* this could have been done (whether it was done or not) the man is not culpable.

Said Rabba to R. Hisda: "If thou dost not admit of this supposition, how then can it be allowed to cook on a festival for the Sabbath?" and R. Hisda answered: "By means of the Erub of cooked things."* "May, then, a biblical prohibition be disregarded even by means of such an Erub?" queried Rabba, and R. Hisda replied: "Cooking on a festival for the Sabbath is, according to biblical law, permissible, and the sages only prohibited it as a precautionary measure, lest some people would cook on a festival for week-days. Hence an Erub of cooked things is a sign that this must not be done."

Rabba objected: "We have learned: 'An animal which is supposed to be in danger of dying must not be slaughtered on a festival, unless there will be sufficient time after the slaughtering to roast and eat a piece of the size of an olive.' Thus we see, that there must be sufficient time to roast and eat a piece of that size, even if the man have no desire to eat it. According to my opinion, from the fact that I admit of the supposition

* See introduction to Tract Erubin.

that he could eat it, the man is allowed to slaughter the animal; but according to thy opinion, if thou dost not admit of such a supposition, how can the man be allowed to slaughter the dying animal?" R. Hisda replied: "In this case, where a pecuniary injury would have resulted, the prohibition was removed," and Rabba rejoined: "Will, then, a biblical prohibition be disregarded on account of a pecuniary injury?" "Yea," answered R. Hisda; "on account of such pecuniary injury the man would make up his mind to eat a piece of that animal of the size of an olive, and as he cannot do this unless the animal is ritually slaughtered, it is permitted to slaughter it."

Said Rami bar Hama: "The same point of difference as was quoted between R. Hisda and Rabba exists between R. Eliezer and R. Jehoshua. R. Eliezer admits of the supposition (that a certain act was done whether it was done or not); therefore he decrees, that the dough should first be baked and then named; because he holds that while the man is baking for himself he can bake for another also. R. Jehoshua does not admit of such a supposition and hence decrees, that the first of the dough should be separated before baking."

Rejoined R. Papa: "(How canst thou say of a certainty that R. Eliezer and R. Jehoshua differ concerning this supposition?) Perhaps R. Eliezer only admits of the supposition in a case of where a man, when baking each loaf of bread, may do so for himself alone (and afterwards separate a piece of a loaf as the legal first dough for all, which would not involve much labor); but as for the instance cited in the controversy between R. Hisda and Rabba, where it was an impossibility to consume the bread baked on a festival for the week-days without calling guests, and the supposition is, that guests were called, it may be that R. Eliezer in that case does not admit of such a supposition." Said R. Shesha the son of R. Idi: "Perhaps the argument may be reversed, namely: 'In the case of loaves subject to the legal first of the dough, where it is a certainty that one of the loaves must not be used by the owner nor by anybody else, R. Jehoshua does not admit of the supposition, whereas in the point of controversy between R. Hisda and Rabba, where all the loaves baked may be eaten, if not by the man himself by guests, R. Jehoshua *may* admit of the supposition (that guests were called).'"

The sages related the above to R. Jeremiah and R. Zera. R. Jeremiah accepted (the view of Rami bar Hama); but R.

Zera would not. Said R. Jeremiah to the latter: "Should the decision of a question which for such a length of time remained unanswered and was finally decided by so great a man as Rami bar Hama, not be accepted by us?" and he answered: How can I accept it? Have we not learned in a Boraitha that R. Jehoshua said to R. Eliezer: "According to thy decree permitting the baking of the dough and the subsequent naming thereof, would the man not be culpable of transgressing the law contained in the passage [Exod. xii. 16], 'No manner of work shall be done on them (the festival-days),' and R. Eliezer did not reply. Should he not have said: 'My reason is based upon "supposition"'?" Rejoined R. Jeremiah: "And according to thy opinon, does the teaching in another Boraitha, that R. Eliezer said to R. Jehoshua: Will not, according to thy decree, a man be culpable for the transgression of the law, 'It shall not be seen nor found in thy house,' and the failure of R. Jehoshua to answer, prove that he could make no reply to the query? Is it not answered in the Mishna by 'this is not the leaven referred to by that passage'? Hence the former Boraitha brings only the question, but not the answer, and the answer may be found elsewhere."

We have learned in a Boraitha: Rabbi said: "The Halakha prevails according to R. Eliezer," and R. Itz'hak said: "The Halakha prevails according to Ben Bathyra."

How much must the quantity of the dough under discussion be? Said R. Ishmael the son of R. Johanan ben Berokah: "If made of wheat it must be two Kabh, but if made of barley three Kabh." Did we not learn in another Boraitha that the same R. Ishmael said: "If made of wheat, three Kabh, and if made of barley four?" This presents no difficulty. One Boraitha treats of good grain and the other of poor grain.

Rabh said: "The measure of dough to be prepared on Passover is a Kabh as used in Lugan, and the same measure applies to a dough of which legal first must be acquitted (to the priests)."

Have we not learned in a Mishna, however, that a trifle over five quarters of meal (equal to five lugs as used in Sepphoris and to seven lugs and a trifle over as used in the desert, which in turn equalled an Omer) are subject to the first of the dough? A Kabh of Lugan contains about the same quantity.

Said R. Joseph: "Our wives bake bread in small quantities on the Passover, not over three lugs of meal at a time," and

Abayi remarked: "Thou wouldst suppose that they do this in order to observe the more rigorous interpretation of the Passover law? However, a more lenient ordinance is thereby observed, namely: They thus become exempt from the duty of acquitting the first of the dough," and R. Joseph replied: "Nay; they do this in accordance with the opinion of R. Eliezer, who said in a Mishna elsewhere, that the basket wherein the loaves are deposited combine the quantities, and they acquit themselves of the duty of the first of the dough from the combined quantity of loaves, and R. Jehudah said in the name of Samuel, that the Halakha prevails according to R. Eliezer."

MISHNA: Rabbon Gamaliel says: "Three women may knead dough on the Passover at the same time and bake it in the same oven, one after the other"; but the sages say: "Three women may occupy themselves with their dough, but in the following manner: one should knead the dough, another form it, and the third bake it." R. Aqiba said: "Not all women, nor all wood, nor all ovens are alike." This is the rule: as soon as the dough rises, let the woman plunge her hand in cold water (in order to moisten the dough).

GEMARA: The rabbis taught: The same woman who kneads should also moisten the dough, and the one next to her should then take up the kneading; while the former is baking the latter should moisten the dough, and the third woman should take up kneading. Thus the first woman will commence kneading while the last is moistening the dough, and so on in rotation. The principle thereof is, that so long as the dough is being handled it does not become leavened.

"*R. Aqiba says,*" etc. We have learned in a Boraitha: "R. Aqiba said: I argued thus before Rabbon Gamaliel: 'Let our Master teach us whether skilled or inexperienced women are meant; whether dry or damp wood is spoken of; whether a heated or a cooled stove is under consideration,' and he answered: 'We need only follow the teachings of the sages (and not concern ourselves as to details), but this bear in mind as the rule: As soon as the dough rises, let the woman moisten the dough.'"

MISHNA: Dough which commences to become leavened must be burned; but the person who had eaten it does not incur the penalty of Kareth (being cut off). Dough which becomes riven must be burned, and whosoever eats it incurs the penalty of Kareth. When is a dough considered as about to become

leavened? When small rents can be observed, standing apart in different directions like the feelers of locusts. When is a dough to be considered riven? When the rents cross each other; such is the dictum of R. Jehudah, but the sages say: Whoever eats either kind of dough incurs the penalty of Kareth. When is a dough considered about to become leavened? When (no rents are visible, but) its surface becomes pale like the face of a person whose hair stands on end (through fright).

GEMARA: The rabbis taught: What is called dough about to become leavened? If its surface becomes pale as the face of a man whose hair stands on end. What is called riven dough? If there are rents visible, standing apart like the feelers of a locust. Such is the dictum of R. Meir; the sages, however, maintain: When the rents standing apart like the feelers of a locust are visible, the dough is considered about to become leavened, and when the rents cross each other, the dough is considered riven. Whosoever eats either kind incurs the penalty of Kareth. Have we not learned in our Mishna that dough about to become leavened must be burned, but one who eats it does not incur that penalty and that such is the decree of R. Jehudah? The Mishna should be supplemented with the statement: According to R. Meir, whosoever eats either kind incurs the penalty of Kareth.

Said Rabha: "What reason has R. Meir for his decree?" According to R. Meir, there can be no rents on the surface, even if they stand apart like the feelers of locusts, that have not many rents underneath which may even cross each other.

MISHNA: If the fourteenth (of Nissan) fall on the Sabbath, all leaven must be removed *before* the Sabbath commences. Such is the dictum of R. Meir; but the sages say that it should be done at the proper time. R. Elazer* ben Zadok says: "The heave-offering must be removed before the Sabbath, and non-consecrated things at the proper time."

GEMARA: We have learned in a Boraitha: R. Elazer ben Zadok said: "Once my father spent the Sabbath in Yemen (Yamnia), and that Sabbath being the fourteenth (of Nissan), Zunin, the supervisor of R. Gamaliel's household, came and said: 'It is time to remove the leaven.' So I went with my father, and we removed the leaven."

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* According to Strack, referring to Frankl, Brill, and Bacher. But Heilpern in his Seder Hadoreth and Mielziner in his introduction to the Talmud, Eliezer.

MISHNA: If a man (on the 14th of Nissan) went to slaughter his Passover sacrifice, or to circumcise his son, or to eat the betrothal-meal at the house of his father-in-law, and on the road recollects that he has left leaven in his house: if he can return home, remove it, and then go back and accomplish any of the acts mentioned, he should do so and remove the leaven; but if he cannot, he should in his mind renounce (the use of the leaven). If his object in leaving home was to aid persons to escape from armed foes, from inundation, robbers, or fire, or to rescue persons from beneath the ruins of fallen buildings, he should in his mind renounce the leaven; but if his object in leaving home was to secure his sabbatical resting-place for his private purposes (in order to obtain his right to the legal limits), he must immediately return and remove the leaven. Likewise, if a person on leaving Jerusalem remembers having in his possession consecrated flesh: if he had gone beyond (the hill) Zophim, he may burn it wherever he may be; but if he had not gone beyond it, he must return and burn it before the sanctuary, with wood of the altar. What is the quantity (of consecrated flesh or leaven) which makes it obligatory for a man to return? R. Meir says: "Either must be of the size of an egg." R. Jehudah says: "Of the size of an olive"; but the sages say: "Consecrated flesh if of the size of an olive and leaven if of the size of an egg."

GEMARA: There is a contradiction: (We have learned): "One who goes to eat the betrothal-meal at the house of his father-in-law or to secure his sabbatical resting-place for his private purposes, should, if he remembered having leaven in his house, return immediately and remove it." Said R. Hisda: "The point of difference between this teaching and the Mishna is only concerning the second meal (after the betrothal); but as for the first, all agree, that it is a religious duty and the man need not return."

We have learned in a Boraitha: "R. Jehudah said: 'I only heard concerning the actual betrothal-meal, but not concerning the meal at which the bridal gifts are bestowed.' Said R. Jose to him: 'I heard concerning both.'"

We have learned in a Boraitha: R. Simeon said: "A meal which is not served on account of some religious duty should not be enjoyed by a Talmud-chacham (scholar)." What kind of a meal is referred to as not being served on account of a religious duty? Said R. Johanan: "The betrothal-meal served

when an ordinary Israelite weds the daughter of a priest, or when a common person weds the daughter of a Talmud-chacham (scholar)" ; for R. Johanan would always maintain, that such alliances do not end well. This is not so! Did not R. Johanan say elsewhere, that he who would become rich should ally himself to the descendants of Aaron, when the union of prestige and learning will make him rich ? This presents no difficulty. For a scholar it is beneficial to wed a priest's daughter, but not for one of the common people.

R. Jehoshua wedded the daughter of a priest. Subsequently he became ill, and said: " Is then Aaron not contented to have his descendants receive me as a son-in-law ?"

R. Idi bar Abhin also wedded a priest's daughter, and they brought forth two sons, both of whom were admitted to fellowship (*i.e.*, were entitled to be ranked as rabbis). They were R. Shesheth and R. Jehoshua.

R. Papa said: " If I had not wedded a priest's daughter I should never have become rich;" but R. Kahana said: " If *I* had not married a priest's daughter I should never have gone into exile";* and he was asked: " What hast thou suffered thereby; didst thou not flee to a place of learning ?" and he answered: " I did not go into exile voluntarily (to improve my learning or to better my condition), but was compelled to flee from the persecution of the government."

R. Itz'hak said: " One who enjoys a meal which is not served for the sake of a religious duty finally incurs the penalty of exile, as it is written [Amos vi. 4]: ' That eat lambs out of the flock, and calves out of the midst of the stall,' and further, it is said [ibid. 7]: ' Therefore now shall they go into exile.' "

The rabbis taught: " A scholar who indulges in too many meals destroys his home, makes his wife a widow, his children orphans, his knowledge vanishes; he becomes involved in strife, his words are disregarded, he profanes the name of Heaven, puts to shame the name of his teacher and the name of his father, and leaves behind him an ill-repute for himself, and his children unto the end of his generations."

The rabbis taught: " A man should sell all his possessions and wed the daughter of a scholar; for should he die or be forced to go into exile he will be assured that his sons will be scholars, and he should not wed a daughter of the common people; for

* R. Kahana was forced to flee from Babylon to Palestine.

should he die or be forced to go into exile, his children will be common persons."

The rabbis taught: "A man should sell all his possessions in order to secure a scholar as a husband for his daughter. This can be compared to grapes which are planted among other grapes in a vineyard, where they are readily assimilated and present a good appearance. If, however, a common person is secured as a husband, it is like planting grapes among thorns, where they cannot thrive."

The rabbis taught: "A man should sell all his possessions and secure the daughter of a scholar for a wife, and if he cannot secure the daughter of a scholar he should try to obtain a daughter of one of the most prominent men of the age. If he cannot succeed in that, he should endeavor to obtain a daughter of the most prominent men in his community; and failing in that, should seek the daughter of a man known to be charitable; and if he cannot succeed even in this, he should try and obtain the daughter of a teacher of children; only should he avoid wedding the daughter of a common person."

We have learned in a Boraitha: R. Aqiba said: When I was still a common (ignorant) man, I used to say: "If I could lay my hands on a scholar I would bite him like an ass," and his disciples said to him: "Rabbi, say 'like a dog,' an ass does not bite," and he replied: "When an ass bites he generally breaks the bones of his victim, while a dog only bites the flesh."

We have learned in a Boraitha: R. Meir said: "One who gives his daughter to a common person virtually casts her to a lion; for as a lion tears and devours his victim without shame, so does a common person beat his wife, then they come together again and he is not ashamed."

We have learned in a Boraitha: R. Eliezer said: "If the common people did not require us for their own welfare, they would slay us."

R. Hyya taught: "A man who occupies himself with the study of the Law in the presence of a common person evokes as much hatred from that person as if he had stolen his bride. As it is written [Deut. xxxiii. 4]: "The law which Moses commanded us is the inheritance of the congregation of Jacob." Do not read מורשה (inheritance), but מאורסה (betrothed). For the enmity of a common person toward a scholar is even more intense than that of the heathens towards Israelites, and that of their wives even greater than their own. A Boraitha

stated: That whosoever was at first a scholar and then resigned his studies, and became a common man, is even worse than if he were entirely ignorant.

"*If a person on leaving Jerusalem,*" etc.: We have learned in a Boraitha: R. Nathan said: "The quantity for either (the consecrated flesh or leaven) must be the size of two eggs"; but the sages did not coincide with him.

It is written [Zechariah xiv. 6]: "And it shall come to pass on that day, that there shall be no light, but fleeting light and thick darkness." What is meant by "fleeting light and thick darkness"? He means to point out, that what is considered a strong light in this world is nothing but fleeting light in the world to come. So said R. Elazar; but R. Jehoshua ben Levi said: "The passage means to state, that those men who are considered enlightened in this world are enveloped in darkness in the world to come," as it happened that R. Jose the son of R. Jehoshua ben Levi once fell in a trance, and upon awakening was asked by his father what he had seen while in his apparently lifeless state, and he answered: "I saw a reversed world: Those who are at the head in this world were at the bottom there, and those who are at the bottom here were at the head there." And his father said to him: "My child, thou hast seen the right world! But how do we scholars appear there?" and R. Jose replied: "We are on the same footing there as we are here. I also heard it said there: Well is to the man who hath brought his learning with him, and further, it was said: The place of those who had suffered death (had been martyrs) for the glory of God cannot be entered by any other man." Does this refer to R. Aqiba and his companions? Were they accorded that place merely because they were martyrs; did they then possess no other merits? Therefore this must refer to the two brothers who sacrificed themselves at Lud (Lydda).*

It is written [Zechariah xiv. 9]: "And the Lord will be king over all the earth; on that day shall the Lord be (acknowledged) one, and His name be one." What is meant by "on that day"? Is He not *one* even *to-day?* Said R. A'ha bar Hanina: "This world is not like the world to come. In this world, when

* It is related in Tract Taanith that a daughter of a prince in that city having been murdered, the crime was attributed to all the Israelites, when, in order to save their co-religionists, who were innocent of the crime, two brothers went up and confessed that they had committed the murder (although they were also innocent), thus shielding their brethren from persecution.—RASHI.

good tidings are received, a man says: 'Blessed be He who is good and doth good to others,' and the recipient of bad tidings says: 'Blessed be He who judgeth in truth'; but in the world to come the first benediction only will be pronounced, for there shall be no more bad tidings." Why is it said: "His name shall be one," is His name not *one* even to-day? Said R. Na'hman bar Itz'hak: "Not as this world is the world to come. In this world the Name is written Yahveh and pronounced Adonai, while in the world to come it will be pronounced as it is written."

Rabha wished to preach concerning the name of Yahveh from the pulpit; so a certain elder said to him: "In the passage [Exod. iii. 15] where it is written: 'This is my name forever,' the word Olam, which when written Ayin, Vav, Lamed, Mem, means 'forever,' is written in that passage Ayin, Lamed, Mem, which also signifies 'concealed.' Hence the name of the Lord should be concealed and not openly discussed."

R. Abbini propounded a contradictory question about the same passage: In the first part it says: "This is my name Leolam (concealed)," and in the last part it says, "This is my memorial unto all generations"? And he answered: So said the Holy One, blessed be He: Not as I (my name) am written shall I also be pronounced. I am written Yahveh and am pronounced Adonai.

CHAPTER IV.

REGULATIONS CONCERNING WORK WHICH MAY AND SUCH AS MUST NOT BE PERFORMED ON THE DAY PRECEDING THE FESTIVAL OF PASSOVER.

MISHNA: In places where it is customary to work till noon on the day preceding the Passover, work may be done; but not in places where it is not customary to work on that day. If a person should go from a place where the said custom prevails to another place where it does not, or the reverse, he is subject to the rigor of the custom, either of the place he came from or of that to which he went. Thus it is always proper not to act differently from the established customs of a place, on account of the disputes to which such conduct may lead.

Likewise, when a person brings fruit of the sabbatical year from a place where it is no longer to be found in the fields (and in consequence must not even be kept in the house), to another place where it is still to be found in the field (and may be kept in the house), or the reverse, he is obliged to remove the same. R. Jehudah, however, says: "Such a person may be told to go and fetch for himself similar fruit, and eat."

GEMARA: Why does the Mishna particularly mention the day preceding the *Passover?* is it not a fact that no work may be performed after the Minchah prayer on the day preceding a Sabbath or any other festival? for have we not learned in a Boraitha, that "whoever performs any work after the Minchah prayer on the day preceding a Sabbath or a festival shall find no blessing for his work"? The Boraitha only states that he shall find no blessing for his work, but not that he should be put under a ban; while a man who performs work after the Minchah prayer on the day preceding the Passover (in places where it is not customary to do so) may be put under a ban.

The text of the Boraitha states further: "One who performs work after the Minchah prayer on the day preceding a Sabbath or a festival, or on the night when the Sabbath or a festival has drawn to a close, or on the night following the Day of Atone-

ment, or at any time when there can be the faintest suggestion of a transgression, as for instance on a day which had been designated as a fast-day for the sake of (praying for) rain, shall find no blessing for his work."

Rabha propounded a contradictory question: "It is written [Psalms lvii. 11]: 'For great, even *unto* the heavens, is thy kindness,' and further, it is said [ibid. cviii. 5]: 'Be thou exalted *above* the heavens, O God.' How can the two passages correspond?" The inference is, that the first passage refers to one who fulfils a religious commandment, because it is customary to do so and his parents before him did so, while to one who fulfils such a commandment for the honor of the Lord, the kindness of God is manifested even higher than the heavens, and this is in accordance with R. Jehudah's opinion, who said in the name of Rabh: "A man should always occupy himself with the Law and with religious duties, even if he bear not in mind always that he does so for the honor of God; for thereby he becomes accustomed to doing thus, and it will eventually be for the honor of the Lord."

The rabbis taught: "He who depends upon the earnings of his wife or upon the proceeds of a hand-mill will never perceive the sign of a blessing." What is meant by the earnings of his wife? If his wife go about with scales, relying upon others to use them and pay for their use. The same applies to the proceeds of a hand-mill: if he rely upon others to use it and pay for its use. If, however, he use the hand-mill himself for the obtainment of his sustenance, or if his wife is actually engaged in traffic, he may even be proud of her, for it is written [Proverbs xxxi. 24]: "Fine tunics she maketh, and selleth them."

The rabbis taught: "From the proceeds of four professions one can never perceive a sign of blessing, and they are: the professions of the scribes, the criers, those who earn their money from orphans, and the men who carry on their traffic at sea" The reason the criers perceive no blessing for their work is because their work (of repeating the words of the rabbis) is generally done on the Sabbath, and those who earn their money from orphans perceive no blessing because they cannot be forgiven if they take the least advantage of orphans; the reason the men who carry on their traffic at sea see no blessing for their work is because a miracle does not occur every day (that a ship should reach port in perfect safety); but why should this also apply to scribes? Said R. Jehoshua ben Levi: "Twenty-four

days the members of the Great Assembly fasted and prayed that the scribes of Scrolls, Tephilin, and Mezuzoth should not become wealthy; for if they did, they would not write any more."

The rabbis taught: The scribes, who write Scrolls, Tephilin, and Mezuzoth; those that deal in them, and those that sell them to the people, and all those who occupy themselves with religious works, even those who sell the blue wool for the show threads, do not perceive any blessing for their work. If, however, they occupy themselves with such work in honor of the Lord (not for gain) they will perceive the blessing.

It was the custom of the inhabitants of Baishan never to go from Tyre to Zidon on the day preceding Sabbath. Their descendants came to R. Johanan and said: "Our fathers could afford to dispense with that journey, because traffic was better in their days; but we cannot. What shall we do?" and he answered: "From the fact that your ancestors already took it upon themselves not to do this, ye cannot act differently, as it is written [Proverbs vi. 20]: 'Keep, O my son, the commandment of thy father, and reject not the teaching of thy mother.'"

The inhabitants of Huzai were wont to separate the legal first dough (due to priests) from rice. This was told to R. Joseph, and he said: "Let an ordinary Israelite take that separated first dough and eat it before their very eyes." Abayi objected: "We have learned: Such acts as are permissible but were regarded as prohibited by some people must not be committed in the presence of such people," and R. Joseph replied: "Was it not reported that R. Chisda said that this refers only to Samaritans?" Why must this not be done in the presence of Samaritans? Because they would take advantage of it and commit acts that are truly prohibited. Is this not also the case with the inhabitants of Huzai, who are also ignorant and might construe the action to imply that they need not separate the first dough even from grain? "Therefore," said R. Ashi, "let us see how the inhabitants of the city of Huzai do? If the majority of them eat only rice, then the first dough thereof which they have separated should not be eaten by an ordinary Israelite in their presence, lest they forget about the law of first of dough entirely; but if the majority of them eat grain, then an ordinary Israelite should eat the first dough which they have separated from the rice in order to demonstrate to them that they need not do this, and warn them that if they separate the first of the dough from

rice to serve also for grain, they will commit a transgression of the law."

When Rabba bar bar Hana came from Palestine to Babylon, he ate the fat around the stomach of an ox; this fat is, however, not eaten in Babylon. While he was eating this, R. Abhira the elder and Rabba the son of R. Huna entered the room. As soon as he perceived them, he covered up the fat. When they came out Abayi said to them: "He treated you like Samaritans."

Does not Rabba bar bar Hana hold that a man is subject to the rigor of the place whence he came and to which he went? How could he allow himself to eat that fat? Abayi replied: "This rule applies to such persons as go from one city in Babylon to another, or from one city in Palestine to another, or even from Babylon to Palestine; but not to such as go from Palestine to Babylon; for we are under their protection and should do as they do." R. Ashi, however, said: "Even were the rule to apply to one who comes from Palestine to Babylon, Rabba bar bar Hana would still have been permitted to follow the custom in Palestine, for he did not intend to remain in Babylon, but to return to Palestine; hence the customs of Babylon need not concern him."

Rabba bar bar Hana said to his son: "The fat which thou seest that I eat, thou shalt not eat, neither in my presence nor in my absence. I allow myself to eat it, because I saw R. Johanan do so, and he is worthy that I should depend upon him even in his absence; but thou must not depend upon me; hence thou shouldst not eat it in my presence nor in my absence." By this statement, however, he contradicts himself, for he said: R. Johanan bar Elazar related: "I was going with R. Simeon ben R. Jose ben Lakunia in a garden in a sabbatical year (after the crops were removed from the field), and he picked up an aftergrowth of a cabbage, ate part himself, and gave me some, saying: 'My son, in my presence thou mayest eat it, but not in my absence; for I saw R. Simeon ben Jochai do this, and he is worthy that I should depend upon him either in his presence or in his absence; but I am not worthy of being depended upon in my absence.'"

"*If a person should go from a place,*" etc. It would be correct to say, that a man who comes from a place where the custom to work on the forenoon of the day preceding the Passover prevails to a place where the custom does not prevail should

hold to the more rigorous custom of the place in which he arrived, to prevent any possible strife; but if he come from a place where the custom does not prevail to a place where it does, what is meant by saying that he should act so as to prevent strife? That he should work on the forenoon the same as the others? Then how can the rigor of the custom peculiar to the place whence he came be applied to him? Said Abayi: "The injunction to prevent disputes applies only to the first instance, *i.e.*, if he comes to a place where it is not customary to work during that time." Rabha, however, said: "Nay; it applies even to the instance, and the injunction of the Mishna to prevent disputes implies, that no disputes will arise from the fact of the man not working, as his idleness will not be considered as the carrying out of a religious duty, but will be attributed to his want of employment, there being many who have no occupation."

Said R. Saphra to R. Abba: "May we, who are well versed in the calendar, perform work on the second day of a festival (in exile)? I do not ask concerning a place where it is not customary to do so, in order to cause any dispute; but I refer to the desert, where there are no other inhabitants?" and he answered: "So said R. Ami: "In the cities it is prohibited, but in the desert it is allowed."

R. Nathan bar Assia went from his college to Pumbaditha on the second day of Pentecost. R. Joseph punished him for it. Said Abayi to R. Joseph: "Why doth not the Master put him under a ban; for did not Rabh and Samuel both say, that the violation of any of the festivals (in exile) is punishable in that manner?" R. Joseph answered: "This is the case where the offence is committed by a man of the common people, but a young scholar should be dealt with as leniently as possible. In Palestine it is the custom to cast votes for the punishment of a young scholar, but no votes were cast to put him under a ban."

"*Likewise, when a person brings fruit of the sabbatical year,*" etc. Does not R. Jehudah hold, that the man is subject to the rigor of the custom both of the place whence he came and of that where he arrived? Said R. Shesha the son of R. Idi: In this case another matter is concerned: R. Jehudah teaches as follows: If a man came from a place where the fruit was not yet removed from the field, into a place where the same condition existed; but in the meantime had been advised that in the place whence he came the fruit had been removed, he should under

ordinary circumstances be in duty bound to act likewise. Such is the opinion of the first Tana. Whereupon R. Jehudah said to this first Tana: "The man may be told to go to a place where the fruit is not yet removed and fetch his fruit, for at the time when he left his home the fruit had not yet been removed."

The rabbis taught: Fruit of the sabbatical year which has been brought from within the boundaries of Palestine to a place without may be destroyed wherever found; but R. Simeon ben Elazar said: "Nay; it must be destroyed in Palestine proper, even if it has to be brought back, for it is written, 'In thy lands.'"

R. Saphra journeyed from Palestine to a place without the boundaries and had with him a measure of wine made of fruit of the sabbatical year. R. Huna the son of R. Ikha and R. Kahana accompanied him, and he said to them: "Has one of you heard whether the Halakha prevails according to R. Simeon ben Elazar or not?" R. Kahana replied: "R. Abbahu declared that the Halakha prevails according to R. Simeon ben Elazar"; but R. Huna the son of R. Ikha rejoined: "Thus said R. Abbahu: 'The Halakha does *not* prevail according to R. Simeon ben Elazar.'" Said R. Saphra: "Under all circumstances the decision of R. Huna must be abided by, because he was very exact in his decrees, which he learned from his master Rahabha of Pumbaditha."

R. Ilayi pruned green dates on the sabbatical year. How was it possible that he should have done this? Is it not written, that for eating purposes they may be gathered, but they must not be removed wantonly? Lest, however, it might be assumed that such is only the case with ripe, edible fruit, but not with such as are unfit—did not R. Na'hman say in the name of Rabba bar Abbahu, that the peel surrounding the dates of uncircumcised trees must also not be used, notwithstanding the fact that it only serves to preserve the dates and cannot be considered fruit itself? Thus we see that, although the peel surrounds dates only when the latter are not yet ripe, still he calls such dates fruit, and in consequence it cannot be said that R. Ilayi pruned dates which were not to be considered fruit?

R. Na'hman holds with R. Jose, who maintains that green fruit is prohibited (during the sabbatical year), because it is considered fruit; but the sages differ with him.

The rabbis taught: "On the sabbatical year grapes may be eaten until the bunches of grapes are all plucked from the vines,

and should there be vines that still contain bunches, grapes may be eaten until even the latter are plucked. Olives may be eaten until the last of them fall off the trees in the city of Thequa. R. Eliezer said: 'Until the last of them fall off the trees in the city of Gush-Halob.' This means to say, that if a poor man goes to seek olives he cannot find any, neither on the branches nor at the roots of the tree. Figs may be eaten until the last fall off the trees in Beth-Hini."

Dates may be eaten until the last fall off the trees in Tzoar. R. Simeon ben Gamaliel said: "They may be eaten when some are to be found among the unripe dates, but not if some are found among the bad dates which have fallen off the trees."

MISHNA: In places where it is customary to sell small cattle (sheep, goats, etc.) to Gentiles, it is lawful to do so, but not in places where this is not customary. Large cattle must not be sold to Gentiles at all,* nor calves nor foals of asses, either sound or broken-legged. R. Jehudah permits the sale of the latter and Ben Bathyra permits the sale of a horse.

In places where it is customary to eat roasted meat on the night of the Passover, it may be eaten, but not in places where this custom is not observed. In places where it is usual to burn a light on the night of the Day of Atonement, it may be done; but not in places where this custom does not exist. The synagogues and colleges, however, may be lighted, as may also dark alleys and (rooms) occupied by sick people.

GEMARA: R. Jehudah said in the name of Rabh: "A man must not say: 'This animal shall serve for the Passover meal,' because, by thus specifying the purpose for which he intends to use it, he virtually consecrates the animal, and consecrated things must not be eaten outside of the Temple." Said R. Papa: "This refers only to flesh, but wheat may be designated for use on the Passover; (because by being thus designated it will not become consecrated, but it will simply be preserved)."

An objection was raised: Flesh must not be designated? Have we not learned that R. Jose said: "Thodos of Rome instituted the custom among his co-religionists in Rome, that they should eat roasted goat-meat on Passover, and the sages sent him the following message: 'Wert thou not Thodos, thou wouldst have been put under a ban for thy action, since thou

* This is a precautionary measure, lest the Gentiles put the cattle to work on Sabbath; but in the Schulchan Aruch this law is revoked.

inducest Israelites to eat consecrated things outside of Jerusalem'? How can they say consecrated things? Say rather, similar to consecrated things." Hence we see, that only roasted flesh may be considered as consecrated; but how can this refer to raw flesh? When roasted flesh is eaten it appears of itself as if it were consecrated, without being designated expressly for use on the Passover, whereas raw flesh is considered so only when it is expressly specified.

The schoolmen propounded a question: "Was Thodos really a great (learned) man or was he simply a very influential citizen, and hence the sages were afraid to put him under a ban?" Come and hear: "Furthermore related Thodos, the man of Rome: 'What justified Hananiah, Mishaël, and Azariah to permit themselves to be thrown into the fiery furnace? They derived their justification from the following *a fortiori* conclusion: As the frogs [mentioned Exod. vii. 28], which were in no wise obliged to honor the name of the Lord, did not hesitate to enter the ovens which, as they still contained the dough, were hot, so much the more should a man who is in duty bound to honor the name of the Lord not hesitate to throw himself into a fiery furnace.'"

R. Jose bar Abhin said: "Thodos of Rome would give wares to the scholars in order to enable them to procure a livelihood by traffic, and R. Johanan said, that he who gives wares to scholars, so that they are enabled to gain a livelihood and study in peace, will merit the privilege of sitting in the colleges of learning in the world to come, as it is written [Ecclesiastes vii. 12]: 'For under the shadow of wisdom (a man is equally well as) under the shadow of money.'"

"*In places where it is usual to burn a light,*" etc. Said R. Jehoshua: Rabha lectured: It is written [Isaiah lx. 21]: "And thy people, they all will be righteous, forever shall they possess the land." From this may be inferred, that all the people were righteous; and those that burned a light on the night of the Day of Atonement as well as those that did not, all had the same purpose in view, namely, to prevent a man from having intercourse with his wife on that night (some believing that when there was a light this would be avoided, while others thought that the light would rather stimulate the desire).

Ula rode on an ass. R. Abba walked to the right of him and Rabba bar bar Hana to the left. Said R. Abba to Ula: "Is it true that both of you, thou and Rabba bar bar Hana,

said in the name of R. Johanan, that a benediction is not pronounced over fire except at the close of the Sabbath-day, for at that time was fire created?" Ula glared at Rabba bar bar Hana and said to R. Abba: I did not quote R. Johanan in this connection, but in the following instance: A certain Tana taught in the presence of R. Johanan: "R. Simeon ben Elazar said: 'When the Day of Atonement falls on a Sabbath, even in such places where it is not customary to burn a light on the night of the Day of Atonement, this should be done in honor of the Sabbath.'" R. Johanan, however, replied that the sages prohibit this.

Rabba bar bar Hana assented, and said: "Yea; such was the statement made by R. Johanan." Commenting upon this, R. Joseph applied to these two sages the passage [Proverbs xx. 5]: "Like deep water is counsel in the heart of man; but the man of understanding will draw it out." "Like deep water," R. Joseph compares to Ula, who, though not knowing what Rabba bar bar Hana might have said, did not reprove him, but merely glared at him; and "the man of understanding will draw it out" is applied to Rabba bar bar Hana, who immediately understood what was passing in Ula's mind and at once assented to his statement.

If, then, R. Johanan did not make the statement attributed to him by R. Abba, whence do the people adduce that a benediction must be pronounced over a light at the close of Sabbath? From the statement of R. Benjamin ben Japheth, who said in the name of R. Johanan: "A benediction must be made over a light both at the close of Sabbath and on the night of the Day of Atonement." And such is the general custom.

An objection was made: Have we not learned, that a benediction over a light should be made only at the close of Sabbath, because at that time fire was created, and as soon as fire is perceived the benediction must be pronounced? R. Jehudah, however, said, that at the time the benediction which is made over the goblet (of wine) the one over the light should also be made, and R. Johanan declared the Halakha prevails according to R. Jehudah?

This presents no difficulty: On the night of the Day of Atonement, according to R. Johanan, a benediction should be pronounced over a light that had been burning all day, but not over one that had just then been made.

We have learned in one Boraitha that over fire arising from

wood or stone a benediction should be pronounced, while in another Boraitha we are taught to the contrary, that no benediction must be pronounced. This also presents no difficulty: The former Boraitha refers to the close of the *Sabbath*, while the latter refers to the night of the Day of Atonement.

Rabbi would as a rule scatter his benedictions at the close of the Sabbath, pronouncing them as the occasion demanded; *i.e.*, if he perceived fire first, he would pronounce the benediction pertaining to fire, and then accordingly over spices, the goblet, etc. R. Hyya, however, would wait until the goblet was brought to him, when he would pronounce all the necessary benedictions together. Said R. Itz'hak bar Abdimi: "Although Rabbi would scatter his benedictions, he nevertheless repeated that over the goblet, for the purpose of fulfilling the duty of the family."

Is it a fact that fire was created at the close of the Sabbath? Have we not learned in Abhoth, where it is stated that ten things were created at twilight on the day preceding the Sabbath, that R. Nehemiah added fire and the mule to the ten things? This presents no difficulty. The fire which we use was created at the close of Sabbath, while the fire of Gehenna was created at twilight on the eve of Sabbath.

Was the fire of Gehenna then created on the eve of Sabbath? Have we not learned in Tract Nedarim that seven things were created even before the world was created, and among the seven was also the Gehenna? The atmosphere of the Gehenna was created before the world, but the fire of Gehenna was created at twilight on the eve of Sabbath.

Still, was the fire of Gehenna really created on the eve of Sabbath? Did not R. Banaha the son of R. Ula say, that the reason it is not written, in the passages referring to the things created on the second day, that "the Lord saw that it was good," is because on that day the fire of Gehenna was created? Therefore we say, that the atmosphere of Gehenna was created before the world, the fire of Gehenna was created on the second day of the week, and the fire which we use was to be created on the eve of Sabbath, but the creation was postponed; as we have learned in a Boraitha, R. Jose said: "Two things were postponed to be created on the eve of Sabbath, but they were not created until the close of Sabbath: they are fire and the mule"; and at the close of the Sabbath the Lord put into Adam's mind to produce fire by striking two stones against one another

and to pair two different animals (the ass and the horse) and thus produce the mule.

The rabbis taught: Seven things are concealed from man: The time of his death, the time of his contentment, the depth of judgment (according to another version, the depth of divine judgment), the thoughts of others, the source of profit, the time of the reëstablishment of the kingdom of David, and the time of the downfall of the kingdom of Rome.

The rabbis taught: Three things were intended to be instituted, and if they were not intended to be instituted, it would be well if such were still the case. They are: that a corpse should putrefy, that the dead should be forgotten after a certain period, and that grain should rot (by exposure). Others add a fourth thing, namely, that coins should be minted, for without them traffic would be impossible.

MISHNA: In such places as it is customary to work on the 9th of Abh, work may be performed; but not where such is not the custom. The scholars, however, must in every place avoid working on that day. Rabbon Simeon ben Gamaliel said: "Every man should in this respect consider himself a scholar (Talmud-chacham)." The sages, however, said: It was customary in Judæa to work until noon on the day preceding Passover; but in Galilee no work was performed on that day. As for the night preceding that day, the school of Shammai prohibit work to be done thereon, while the school of Hillel permit it until sunrise (of the day following). Said R. Meir: Every occupation which had been commenced prior to the 14th (of Nissan) may be finished on that day; but no new work may be commenced, even if it can be finished on that same day. The sages, however, are of the opinion, that the three following crafts may pursue their usual calling until noon on that day, namely: tailors, barbers, and clothes-washers. R. Jose ben Jehudah says that shoemakers may also do so.

GEMARA: Samuel said: "There is no fast-day, imposed by the community upon its members in Babylon, except the ninth day of Abh."* Shall we say that Samuel by this statement means to assert, that eating at twilight on the eve of that day is also prohibited? Have we not heard that Samuel held to the contrary? Shall we assume, that at twilight on the eve of

* In Palestine in times of drouth especially, fast-days were imposed by the community upon its members in order to pray for rain, while in Babylon there hardly ever arose the necessity for such occasions.

any fast-day imposed by the community eating is permitted? Have we not learned in Tract Taanith, that on the day preceding congregational fast-days eating is permitted only while it is yet day; and thence we may adduce that as soon as dusk sets in it is prohibited? Nay; the statement that eating is only permitted while it is yet day signifies, that when night sets in eating is prohibited, but as for dusk (twilight), the prohibition does not apply.

We have learned in a Boraitha: "There is no difference between the ninth of Abh and the Day of Atonement as fast-days, except that in the doubtful time of the latter eating is prohibited, while in that of the former eating is permitted." Shall we assume, that by doubtful time the Boraitha refers to the twilight, when it is not known whether it is yet day or not, and thus would be a support to the opinion of Samuel, who permits eating at twilight on the eve of the ninth of Abh? Nay; by "doubtful time" the Boraitha refers, as R. Shesha the son of R. Idi said elsewhere, to the doubt existing whether the day was really the proper day according to the calendar.

Rabha preached: "Pregnant and nursing women must fast on the entire day of the ninth of Abh in the same manner as if it were the Day of Atonement; also, that at twilight on the eve of that day eating is prohibited." This decree was also attributed to R. Johanan. How could R. Johanan have said this? Did he not say elsewhere, that the ninth of Abh is not equal to a congregational fast-day? Must it not be assumed that he holds eating on the eve of the ninth of Abh to be permitted? Nay; R. Johanan means to state, that the ninth of Abh differs from a congregational fast-day only as concerns the number of benedictions to be recited. On a congregational fast-day the number is twenty-four, while on that day it is not so.

An objection was raised: The difference between a congregational fast-day and the fast of the ninth of Abh is merely that on the former no manner of work may be performed, while on the latter, in those places where it is customary to work on that day, this may be done. Hence are they not alike in all other respects? Said R. Papa: "All the Boraithoth quoted only cite the more lenient observance of the ninth of Abh as compared with congregational fast-days and the Day of Atonement, but do not mention the more rigorous observance."

"*Every man should in this respect consider himself a scholar.*"

Here we see that R. Simeon ben Gamaliel has no objection to a man vainly assuming that he is a scholar, whereas (in Tract Berachoth) concerning the reading of the Shema (prayer) he says, that not every man who so chooses may assume to be (or act like) a scholar. Said R. Johanan: "Transpose the names in the Mishna, so that the statement attributed to the sages should be that of R. Simeon ben Gamaliel and the dictum of R. Simeon ben Gamaliel should be that of the sages." R. Shesha the son of R. Idi, however, said: This is not necessary. There is no difficulty either as to the sages or as regards R. Simeon ben Gamaliel. According to the sages, a man who would not work, when all others do, would leave the false impression that he is a scholar, although he is not, while in the instance quoted, concerning the reading of the Shema, a man who is a bridegroom may (on his wedding-day) read the Shema, because all others do likewise, and he cannot be accused of being presumptuous. According to R. Simeon ben Gamaliel, however, premeditation being necessary for a man who is to read the Shema, and it being a known fact that a bridegroom on his wedding-day cannot have the necessary premeditation—if he nevertheless persists in reading that prayer, he does so merely to gratify his vanity and to demonstrate that he is a scholar; hence it should not be permitted. In the case treated of in the Mishna, however, it is different. The fact of his not working will not give others the impression that he wishes to pose as a scholar; for are there not a number of men who lack employment and are idling in the markets?

"*The school of Shammai prohibit work to be done*," etc. So far the Mishna has been dealing with the customary usages, and suddenly prohibitions are cited? Said R. Johanan: This presents no difficulty. The decisions pertaining to customary usage are all rendered upon the authority of R. Meir, but R. Jehudah actually prohibits work to be performed in those places where it is not usually done, as we have learned in the following Boraitha: R. Jehudah said: "In Judæa work was done on the day preceding the Passover until noon, while in Galilee no work at all was performed on that day." Said R. Meir to him: "To what purpose dost thou cite the customs of Judæa and Galilee? Is it not a rule that, wherever it is customary to perform work on that day, it may be done, and wherever it is not customary it should not?" Thus, if R. Meir's reply to R. Jehudah dealt with customary usage, it is obvious that R. Jehu-

dah must have directly prohibited work in places where it was not usually done.

The schoolmen propounded a question: Does that part of the Mishna, which states that every occupation which was commenced prior to the 14th of Nissan may be finished on that day refer only to such occupation as was necessary for the due observance of the festival, but if it is not necessary for that purpose, it must not even be completed on that day, or does it refer to such occupation as was not necessary for the festival; but if it was, it is even allowed to commence *and* finish it on that day? Or, on the other hand, does it refer to occupation which is even necessary for the festival and still it may only be finished but not commenced on the day preceding the festival?

Come and hear: R. Meir said: "Every occupation necessary for the due observance of the festival may be *completed* on the day preceding the festival, but if it was not necessary for that purpose it must *not* be finished. Wherever it is customary, work may be done on the day preceding the festival until noon." Thus we see, that only wherever it is customary work may be done until noon of the day preceding the festival but otherwise it must not, and only when the work is needed for the festival may it be completed on that day but otherwise it must not.

"*The sages, however, are of the opinion, that the three following crafts,*" etc. We have learned in a Boraitha: Tailors may pursue their occupation, because any man may, if necessary, mend his garments on the days intervening between the first and last days of the festival. Barbers and clothes-washers may pursue their calling, because those that arrive from a sea-voyage or those that are released from imprisonment may trim their hair and wash their clothes on the days intervening between the first and last days of the festival.

R. Jose ben Jehudah says, that shoemakers may pursue their calling, because the pilgrims who journey to Jerusalem for the festivals mend their shoes on the intervening days. Upon what point do R. Jose and the former Tanaim differ? The former Tanaim hold, that permission to commence a certain act of labor cannot be derived from the fact that it may be completed; *i.e.*, while shoes may be mended, it does not follow that it is permitted to make new shoes, while R. Jose maintains that it makes no difference, and as shoes may be mended, new ones may be made also.

MISHNA: Fowls may on the day preceding the Passover be

placed in hatching-coops; a brooding hen which had run away (from her eggs) may be replaced on them, and if the hen had died another may be put on the eggs in her place. It is permitted to remove the stable-dung on the 14th (of Nissan) from between the feet of cattle; but it may only be removed to one side during the middle days (the days intervening between the first and last days of the festival). It is also permitted to carry, to and from the houses of mechanics, vessels and other articles, even though they be not needed for use during the festival.

GEMARA: If a fowl may be placed in a hatching-coop on the day preceding the festival, why should it be necessary to state that she may be replaced on the eggs which she had abandoned? (Is this not obvious?) Said Abayi: "The clause permitting the replacing of the hen does not refer to the 14th (of Nissan) but to the middle days." R. Huna said: "When is it allowed to replace a hen on the eggs which she had abandoned? If she had already been hatching the eggs for three days prior to her escape and three days had not elapsed since she had escaped; *i.e.*, if the eggs had already become spoiled and at the same time retained warmth, so that when the hen is replaced she can still complete the hatching with success. If, however, the hen had not yet been hatching the eggs for three days and they had not become spoiled, or if three days had elapsed after she had abandoned them, so that it would be impossible to hatch them with success, the hen must not be replaced." R. Ami, however, said: "Even if the hen had not been hatching the eggs for three days and they had not yet become spoiled, she may nevertheless be replaced."

In which point do R. Huna and R. Ami differ? The former holds, that on account of serious damage only may work be done on the middle days, while the latter maintains that even on account of slight damage this may be done.

"*It is permitted to remove stable-dung,*" etc. The rabbis taught: The dung contained in the yard must be removed to one side, and that contained in the stable and in the yard may be entirely removed. How can this latter part be understood? What is meant by dung contained in the stable *and* in the yard? Said Rabha: "This signifies, that if the yard became like a stable, filled with dung, the dung may be entirely removed."

"*It is also permitted,* etc., *to carry vessels,*" etc. R. Papa said: Rabha wished to examine us and said: "In our Mishna it is stated, that on the 14th (of Nissan) vessels may be carried to

and from the houses of mechanics, etc., even though they be not needed for the festival, and this is contradicted by a Boraitha, which decrees that vessels must not be carried from the house of the mechanic; and if there is danger of their being stolen, they may be deposited in another court?" We replied: This presents no difficulty, as the Boraitha refers to the middle days, while our Mishna has reference to the 14th (of Nissan). We can also give another reason, namely: Both the Boraitha and the Mishna may refer to the middle days, and it merely depends upon whether the mechanic has sufficient confidence in his master to leave his tools with him; for if he has not, he may remove them.

MISHNA: The inhabitants of Jericho were wont to do six things; three of these were done contrary to the wishes (of the sages) and three were done with the sanction (of the sages). The following were done with the sanction of the sages: They would graft palm-trees the whole day of the 14th (of Nissan), they would read the Shema (prayer) with an additional verse (or without interruption), and they would heap up new corn (into sheaves) before acquitting the "omer" (first-offering) thereof. All these things were done with the sanction of the sages; but the following were contrary to their wishes, namely: They would make use of plants (buds) growing on or near consecrated trees; they would eat fruit on Sabbath which had dropped off the trees on that day, and they allowed herbs to remain in the field as Peah.* All these things were contrary to the wishes of the sages.

Six things were done by King Hezekiah,† three of which met with approval and three with disapproval: He caused the bones of his father to be transported on a litter of ropes,‡ and this was approved of; he caused the brazen serpent to be broken to pieces, and this was approved of; he secreted the book of medicine, and it was also approved. The following, however, are the three things done by him which were *not* approved of: He cut off (the gold) from the gates of the Temple, and sent it to the King of Assyria; he stopped up the upper mouth of the

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* See Levit. xxiii. 22, and Deut. xxiv. 19.

† "Six things of Hezekiah." This is, in the original, not a continuation of the Mishna, but it begins with, "The rabbis taught," which signifies a Boraitha. In the edition of the Mishna, however, this is the continuation of the Mishna, and so it should be. See Tosphath Yomtav Sanhedrin, Chap. 7.

‡ As a mark of disrespect.

waters of Gihon, and made the month of Nissan intercalary—all of which were not approved of.

GEMARA: "*They would graft palm-trees*," etc. How would they do this? Said R. Jehudah: "They would take a damp myrtle-branch, bayberries of which they made an extract, and barley meal, and would boil them in a vessel which had not been made more than forty days before. This brew they would pour into the core of the tree. Any tree which stood within four ells of a tree which was thus treated would, unless receiving the same treatment, wither and die immediately." R. A'ha the son of Rabha, however, said: "They would graft a twig of a male tree on a female tree."

"*They would read the Shema*," etc. How did they do this? Said R. Jehudah: "They would recite the passage: 'Hear, O Israel,' etc., and without any interruption would continue: 'And thou shalt love,'" etc.; but Rabha said: "They would transpose the stress in the following passage thus: Instead of saying: 'And these words, which I command thee this day, shall be in thy heart,' they would say: 'And these words which I command thee—*this day* shall they be in thy heart,' so that one who heard them might have thought that the intent of the passage was to signify: '*This* day shall they (the words which I command thee) be in thy heart, but not *to-morrow*.'"

The rabbis taught: How would they read the Shema? They would recite the passage: "Hear, O Israel, the Lord is our God; the Eternal is One," and then would continue without interruption to say: "And thou shalt love the Lord thy God," etc. (*i.e.*, they would not stop to lay stress on the words, "The Eternal is One," sufficiently long to meditate on the power of God in the heavens and on earth in all directions). Such is the dictum of R. Meir; but R. Jehudah said: They would make that interruption, but what they did not say was the verse: "Blessed be the name of the honor of His kingdom for ever and ever," which should be inserted between the end of the first verse: "Hear, O Israel," etc., and the one commencing: "And thou shalt love," etc.

Why do we recite this additional verse? It is not written in the Scriptures? In accordance with what was related by R. Simeon ben Lakish: It is written [Gen. xlix. 1]: "And Jacob called unto his sons and said, 'Gather yourselves together, that I may tell you that which shall befall you in the last days,'" which signifies that he wished to disclose to them when the end

of the days should occur. As he was about to accomplish this, the Shekhina left him, and he commenced to fear lest there were among his children an unworthy person like Ishmael the son of Abraham and Esau the son of Isaac. So his children spoke to him and said: "Hear, O Israel, the Lord is our God; the Eternal is One." They said to him: "Father, as in thy heart there is but one God, so is there in our hearts but one God." As soon as Jacob our father heard this, he opened his mouth and said: "Blessed be the name of the honor of His kingdom for ever and ever."

The sages then began to deliberate whether to say this also or not. To say it would not be in accordance with the words of Moses, who did not use the verse; not to say it would be to disregard Jacob. So they finally concluded to say it in a still manner (not audibly).

Said R. Itz'hak: "The disciples of R. Ami compared this to the following parable: A king's daughter, smelling the odor of savory spices, which were being cooked in the kitchen, craved for some. To order her servants to bring a dish of those spices would be to expose herself to ridicule; not to do so would be to suffer: so her servants brought her what she desired surreptitiously, in order that nobody should perceive it."

Said R. Abbahu: "In Usha, where there was a sect of Minim,* it was ordained that the additional verse should be proclaimed in a loud voice, in order that the adherents of that sect should not say that the verse which was said in a still manner was one praising their own Deity; but in Neherdai,† where there were no Minim, even unto this day the verse is said in a still manner."

The rabbis taught: The inhabitants of Jericho were wont to do six things; three of these were done contrary to the wishes of the sages and three were done with the sanction of the sages. The following were done with the sanction of the sages: They would graft palm-trees the whole day of the 14th (of Nissan), they would read the Shema without interruption, and they would

* "In Usha" is in accordance with the explanation of Rabbenu Hananel; for the Gemara does not mention any particular place. By "Minim" is meant the Jewish adherents of several different sects, who in addition to their own creed accepted the doctrines of another religion. In this instance the Nazarenes, *i.e.*, the Jews who accepted the teachings of Jesus of Nazareth, are more particularly referred to.

† Neherdai was the kingdom of Persia, and the Minim Jewish Christians did not exist then at all. (Not, as some one claimed, that they were driven out. See our History of the Talmud.)

cut off new corn before acquitting the "omer" (first-offering) thereof. The following, however, were done contrary to the wishes of the sages, namely: They would heap up the new corn before acquitting the "omer" (first-offering) thereof; they would make breaches in the fences of their gardens and vineyards during times of famine, in order that the poor might enter and eat the fruit which had dropped off the trees on Sabbath and on festivals; and they would make use of the plants (buds) growing on or near consecrated trees, carob-trees, and sycamore. Such is the dictum of R. Meir. Said R. Jehudah to him: "If thou sayest, that the first three things were done with the sanction of the sages, then it will be assumed that all men may do so and that the sages allow them; say rather, that the sages did not prevent their doing the first three things, but not that they sanctioned them. Shouldst thou, however, retort, that cutting off the new corn before acquitting the 'omer' thereof is certainly permitted (because it thus taught in a Mishna), then, say I, substitute for 'cutting off,' 'heaping up into sheaves,' and in the last three things substitute for 'they would heap up the new corn before acquitting the "omer" thereof,' 'they allowed herbs to remain in the field as Peah.'"

Why did the inhabitants of Jericho make use of plants growing on or near consecrated trees? They said: "Our ancestors only consecrated the wood of the trees, and if other plants subsequently grew on those trees, why should we prevent the poor people from making use of them? It does not constitute a trespass to partake of plants which subsequently grew on consecrated trees!" The sages, however, said: "A trespass-offering need not be brought if this was done, but it is a trespass nevertheless."

R. Simeon ben Lakish was quoted by Ula to have said: The inhabitants of Jericho and the sages differed only concerning such plants as grew on the tops of trees, and the sages prohibited their use on the Sabbath or on a festival, lest they be torn off by the poor on those days, while the inhabitants of Jericho did not hold this precautionary measure to be necessary. As for unripe fruit at the foot of the trees, all agree that it may be gathered.

When Rabhin, however, came from Palestine, he said in the name of R. Simeon ben Lakish to the contrary: That they differ only concerning the unripe fruit, the sages holding that what is prepared for the fowls of the air (crows) cannot be called

prepared for men, while the inhabitants of Jericho maintained that it may be considered prepared for man also. As for the shoots on the tops of the trees, however, even the latter admit that they must not be used, for they hold to the precautionary measure instituted by the sages above.

"*And they allowed herbs to remain in the field as Peah.*" The rabbis taught: "Formerly Peah was left from turnips and cabbage, and R. Jose said: "Also from leek." In another Boraitha we have learned: "Formerly Peah was left from turnips and leek," and R. Simeon said: "Also from cabbage."

The rabbis taught: "Ben Buhaïn allowed herbs to remain in the field as Peah. When his father arrived he saw some poor men already standing with the bundles of herbs at the entrance of the garden, and he said to them: 'Children, throw down your bundles of herbs and I will restore twice their value to you after I shall have acquitted the tithes thereof; and I do not say this because I would grudge you the herbs, but because the sages did not permit the herbs to be left as Peah.'"

The rabbis taught: "Formerly the hides of the sacrificed animals were left in the chamber of Parvah.* At night the priests ministering during that week would divide those hides among themselves. The more powerful among the priests, however, would appropriate more than their share. So it was ordered that the division should be made every eve of Sabbath in the presence of all the men comprising the twenty-four watches (shifts) of the Temple. Still the more powerful priests would appropriate more than was due them. In consequence, the persons bringing the sacrifices decided to consecrate the hides for the use of the Temple. It was said that it did not take very long before it was possible to cover the entire Temple with disks of gold one ell square and of the thickness of a golden Dinar. At the time of the festivals these disks were placed on the mount of the Temple, in order that the pilgrims to Jerusalem might see them; for they were beautifully worked and were not counterfeited."

We have learned in a Boraitha: Abba Saul said: "There were sycamore-trees in Jericho which the priests forcibly appropriated for their own use, in consequence of which the owners consecrated them for the use of the Temple." Concerning such

* One of the chambers enumerated in Tract Midath in connection with the Temple.

outrages and such priests, Abba Saul ben Batnith in the name of Abba Joseph ben Hanin said: "Woe is me on account of the house of Baithos, woe is me on account of their rods! Woe is me through the house of Hanin and through their calumnies! Woe is me through the house of Kathros and through their pens! Woe is me on account of the house of Ishmael ben Piakhi and of their fists! for they were all high-priests, their sons were the treasurers, their sons-in-law were the chamberlains, and their servants would beat us with rods.*

The rabbis taught: Four shouts were sent up by (the people in) the court of the Temple. The first shout was: "Go away from the Temple, ye children of Eli, who have defiled God's house" (I Samuel ii.). The second shout was: "Leave the Temple, Issachar, man of the village of Barkai," who by his arrogance desecrated the sanctity of Heaven. He would envelop his hands in silk while performing his services as a priest. The third shout was: "Raise your heads, O ye gates, and let Ishmael ben Piakhi the disciple of Pinhas enter and assume the office of the High Priest." The fourth shout was: "Raise your heads, O ye gates, and let Johanan ben Narbayi enter and fill his bowels with the holy sacrifices." Of Johanan ben Narbayi it was said that he (and his family, which was very large) would consume 300 calves, 300 jugs of wine, and 40 saah of young doves as dessert after his meals. It was also said that during his administration as high-priest there never was any remainder left over of the sacrifices from one day to the next.

What was the end of Issachar, the man of the village of Barkai? It was said that at one time the king and the queen were disputing as to the relative merits of a kid or lamb as food. The question then arose who was to decide the dispute. So it was suggested that the decision be left to the high-priest, who at that time was Issachar, the man of the village of Barkai, who certainly ought to know which was the better, as he used to bring sacrifices daily. He was called, and coming into the presence of the king, jokingly waved his hand and said: "If a kid were the better it would be used for the daily sacrifice, and we know that a lamb only must be used." Said the king: "Because he showed no respect to the throne and waved his hand, let his right hand be cut off." Issachar, however, bribed the executioner, and his left hand was cut off instead. When the

* See "Priester und Cultus," of Buechler.

king heard of this, he ordered that the right hand should also be cut off. Said R. Joseph: "Blessed be the Merciful One, who punished Issachar in this world, and thus enabled him to enjoy the world to come." Said R. Ashi: "Issachar never learnt the Mishna, for had he done so he would have learned the following: R. Simeon said: For sacrifices lambs are always preferable to kids; but shall we assume that this is because they are really more toothsome? Therefore it is written [Lev. iv. 32]: 'And if he bring a sheep for a sin-offering,' and as it is previously written that he should bring a goat, it may be inferred therefrom that both are equal."

Rabhina, however, said: "Issachar did not even read the Scriptures, for it is written [Lev. iii. 7 and 12]: 'If he offer a sheep for his offering,' etc., and 'If a goat be his offering,' etc., thus showing that both are equal."

CHAPTER V.

REGULATIONS CONCERNING THE SACRIFICE OF THE PASCHAL LAMB.

MISHNA: The continual (daily) offering* was slaughtered half an hour† after the eighth hour, and sacrificed half an hour after the ninth hour; but on the day before Passover, whether that day happened to be a week-day or a Sabbath, it was slaughtered half an hour after the seventh hour, and sacrificed half an hour after the eighth hour. When the day before the Passover happened to be a Friday, it was slaughtered half an hour after the sixth hour, sacrificed half an hour after the seventh hour, and the Passover sacrifice celebrated (immediately) afterwards.

GEMARA: Whence do we know all this? Said Rabha: Because it is written [Numbers xxviii. 4], "toward evening," we know that this religious duty must be discharged when the sun commences to move towards the west (evening). Then again, on all ordinary days, in respect to vow and voluntary offerings, as it is written [Lev. vi. 5]: "And he shall burn thereon the fat of the peace-offering." And the master said that this signifies that all the other offerings must be sacrificed before the daily offering. Hence this latter was slaughtered half an hour after the eighth hour (two and one half hours after noon); but on the day before Passover, when the paschal lamb had to be slaughtered after the daily offering, the latter was slaughtered an hour sooner. If the eve of Passover, however, fell on Friday, when the paschal lamb must be roasted before the Sabbath set in, the literal text of the passage in the Scriptures is abided by, and the daily offering is slaughtered as soon as the sun commences setting towards the west, *i.e.*, half an hour after noon.

The rabbis taught: "In the same manner as the daily offering was proceeded with on a week-day, it was also treated on

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* See Numbers xxviii. 3.

† All hours mentioned in Mishnaoth and Gemara are counted according to Palestinian time. The first hour in the morning is counted from our time, six o'clock.

Sabbath." Such is the decision of R. Ishmael. R. Aqiba, however, said: "In the same manner as it is proceeded with on the eve of Passover, so should it be treated on Sabbath."

What does R. Aqiba mean by this statement? Said Rabba bar Ula: The Mishna teaches us as follows: The usual manner of treating the daily offering on week-days is carried out also on Sabbath, notwithstanding the fact that no vow or voluntary offerings are sacrificed on the Sabbath. Such is the decree of R. Ishmael; but R. Aqiba said: "Nay, on Sabbath the daily offering should be treated the same as on the day before Passover; *i.e.*, it should be sacrificed an hour sooner, and for the very reason that there are no vow or voluntary offerings to be sacrificed on that day." The statement in the Mishna, that "on the day before Passover, whether that day happened to be a week-day or a Sabbath, it was slaughtered half an hour after the seventh hour," refers to the paschal lamb, and this is in accordance with the opinions of both R. Ishmael and R. Aqiba. Wherein do they differ? R. Ishmael holds that the time should not be changed on the Sabbath, lest this be done also on the week-days, and thus sufficient time will not be allowed for the vow and voluntary offerings, while R. Aqiba maintains that this precautionary measure is not necessary. If the precautionary measure is not necessary, why should the sacrifice be brought on Sabbath half an hour after the seventh hour? why not a half hour after the sixth hour? R. Aqiba holds, that first the additional Sabbath-sacrifice must be brought in the sixth hour, then the frankincense is burned at the seventh hour, and finally the daily sacrifice half an hour after the seventh hour.

The rabbis taught: Whence do we know that nothing must be offered prior to the daily morning sacrifice? Because it is written [Lev. vi. 5]: "And the priest shall burn wood on it every morning, and he shall lay in order upon it the burnt-offering," which signifies that the (daily) burnt-offering shall be the first to be sacrificed. Is this then conclusive evidence? Said Rabha: "Yea, because it says explicitly *the* burnt-offering, and that means that the daily morning sacrifice should be the first."

Whence do we know that nothing must be sacrificed after the daily evening sacrifice? Because it is written [ibid.]: "And he shall burn thereon the fat of the peace-offerings." How does this signify that nothing shall be sacrificed after the evening sacrifice? Said Rabha: "Because it says *the* peace-

offerings,* and that means that the peace-offerings shall be the last."

The rabbis taught: "The daily (evening) offering precedes the Passover-sacrifice, and the Passover-sacrifice precedes the burning of the incense, and the incense precedes the lighting of the candles." Why should the Passover-sacrifice follow the daily offering? Because an act concerning which it is written [Deut. xvi. 6]: "There shalt thou slay the Passover (lamb) at evening, at the going down of the sun," and [Exod. xii. 6]: "They shall kill it toward evening," must be accomplished later than an act concerning which it is only written [Numb. xxviii. 4]: "Thou shalt prepare it toward evening."

The rabbis taught: "There is nothing which may be offered up before the daily (morning) sacrifice except incense, which is burnt before the daily sacrifice." (Why is that so?) Because it is written concerning incense [Exod. xxx. 7]: "*Every* morning when he dresseth the lamps shall he burn it," while concerning the daily sacrifice it is only written plainly "in the morning." After the daily evening sacrifice nothing may be offered up except the paschal lamb, and the incense and the lighting of the candles may be accomplished. Also if there happen to be a man who had not yet had the atonement made for him by the priest before taking the legal bath, the offering necessary for the atonement may be sacrificed even after the daily (evening) sacrifice; then the man may go and bathe himself and partake of the paschal lamb.

R. Saphra propounded a contradictory question to Rabha: "It is written [Exod. xxxiv. 25]: 'Neither shall be left unto the morning the sacrifice of the feast of the Passover'; hence the supposition is that, while it must not be left unto the morning, it may be left over the entire night and should be burned at the approach of morning, which is already the festival day, although the sacrifice was offered before the festival; but we find it written further [Numb. xxviii. 10]: 'This is the burnt-offering of Sabbath on every Sabbath,' and does this not signify that only the burnt-offering of the Sabbath may be burned on that day?" Rabha answered: "This question was already propounded to R. Abbahu by R. Abba bar Hyya, and R. Abbahu replied: "The passage quoted [Numb. xxviii. 10] refers

* The Hebrew term for peace-offerings is "Hashlomim," and "Hashlom" also signifies "to complete," whence Rabha adduces that the peace-offerings complete the sacrifices for the day and nothing further must be sacrificed.

to an eve of Passover which fell on a Sabbath, and a sacrifice which was offered up on the Sabbath may be burned on a festival." Rejoined R. Saphra: "Because a Sabbath-sacrifice may be burnt on a festival, does that carry with it, that the passage must be construed to refer to a Sabbath which happened to be an eve of Passover?" Rabha replied: "Let the passage be. It is difficult enough to understand at all events, and it will eventually prove to be in accordance with the explanation rendered."

MISHNA: If the Passover-sacrifice had not been slaughtered for the purpose of sacrificing it as a Passover-sacrifice,* or its blood had not been received for that purpose, or the blood had not been brought to the altar and sprinkled for that purpose, or if one act had been accomplished with it in order to make it a Passover-sacrifice and another not for that purpose, or if the reverse had taken place—it is not valid. How is it to be understood that "one act had been accomplished with it as a Passover-sacrifice and another not for that purpose"? This signifies, that one act had been accomplished with it in order to make it a Passover-sacrifice, and subsequently another act had been accomplished with it in order to make it a peace-offering; and by "if the reverse had taken place" is meant, if at first an act had been accomplished with it in order to make it a peace-offering and another act had subsequently been accomplished with it for the purpose of making it a Passover-offering.

GEMARA: R. Papa propounded a question: "Does the Mishna mean to state that the sacrifice is not valid if the dual intention was carried out even in one act only (*i.e.*, if *f.i.* when slaughtering the lamb the original intention was to have it serve as a paschal sacrifice and subsequently the intention was changed and it was slaughtered for a peace-offering), and thus it is in accordance with the opinion of R. Jose, who maintains that a later intention annuls a previous one; or, does the Mishna mean to state that it is not valid only if the dual intention was divided between two acts (*i.e.*, if *f.i.* the lamb was slaughtered with the intention of making it a paschal sacrifice and its blood was sprinkled for the purpose of making it a peace-offering), and thus it can be even in accordance with R. Meir, who holds that the original intention holds good and cannot be made void by a subsequent intention? Now the question is, does R. Meir hold

* The manner of procedure necessary to make a Passover-offering efficacious will be more fully explained in Tract Zeba'him (Sacrifices).

that an original intention holds good only for one act where the intention had subsequently been changed, and maintains that, even if two acts were accomplished with two different intentions, the one accomplished with the original intention supersedes the one committed with the subsequent intention; or does he admit that where two acts are accomplished with different intentions the later annuls the former?"

Now let us see! There can be no question that the Mishna does not consider the case of where an act had been accomplished originally with the intention of having it serve for a peace-offering and then the intention was changed so as to bring the Passover-sacrifice; for in that event, according to both R. Jose and R. Meir, the sacrifice could not be valid as a Passover-sacrifice (it must be borne in mind that R. Jose does not state that a later intention supersedes a former, but that it merely annuls it, and R. Meir holds that the former intention supersedes the later). Thus the question again presents itself whether, if the act had been accomplished first so as to serve as a Passover-offering and was subsequently intended to serve as a peace-offering, does the Mishna refer to a single act embodying both intentions, or is a case referred to where two acts were committed each with a separate intention?

Come and hear: If the blood of the paschal lamb had been sprinkled with the intention to have the lamb serve for those that were to partake thereof and also for those that were not to partake thereof, the sacrifice is valid. Let us see! How was the case? Was the dual intention embodied in two acts, *i.e.*, while the lamb was slaughtered for those who were to partake thereof, the intention was to sprinkle the blood even for those who were not to partake thereof, and sprinkling only is mentioned because that act alone, even if accomplished for another purpose, would not invalidate the sacrifice; if, however, the dual intention was embodied in one act only, say that of slaughtering, *i.e.*, the lamb was slaughtered both for those who were to partake thereof and for others who were not, would that render the sacrifice invalid? This is not so? We know that such a proceeding would not render it invalid? Hence we must say that, as the later (succeeding) Mishna treats only of one act embodying a dual intention, such is also the case with our Mishna above.

This is not conclusive evidence! One (Mishna) may treat of one case and the other of another case. The succeeding

Mishna may deal with one act, while our Mishna may deal either with one or with two acts!

The schoolmen propounded a question: "What is the law concerning a sacrifice which had been offered up at any time during the year (not on the eve of Passover) with the dual intention of having it serve both as the paschal sacrifice and as a peace-offering? Shall we assume, that the latter intention supersedes the former and the sacrifice is valid or not?" When R. Dimi came from Palestine he said: I desired to decide this question before R. Jeremiah in the following manner: "Let us see! As a paschal lamb which was offered up for its proper purpose is thereby made valid for its proper season, and if not offered up for its proper purpose it is made valid when not in its proper season, then, if offered up for its proper purpose, although offered for its proper season, the intention to have it serve not for its proper purpose supersedes the original intention, and the sacrifice is not valid, and consequently the intention to offer it up not for its proper purpose, although it is valid not for its proper season, does not supersede the original intention to have it serve for its proper purpose, and the paschal lamb is not valid." R. Jeremiah, however, answered: "Nay; how canst thou compare the paschal lamb to other sacrifices? (Is it not a fact that, if any ordinary sacrifice is offered up not for its originally intended purpose, the sacrifice itself is nevertheless valid, and the man who brings it must only offer up another to carry out his original purpose, while a paschal lamb, if brought for any other but its actual purpose, becomes absolutely useless and cannot be sacrificed at all.) If the paschal lamb was brought for its proper purpose in its proper time (as is the case in the first instance), a subsequent intention to have it serve another purpose would have rendered it absolutely useless; in the next instance, however, when a sacrifice for a certain purpose was brought at any time of the year, a subsequent intention would not render it useless: then if the sacrifice had been brought with the original intention of having it serve as a peace-offering and subsequently the intention was added to have it serve also as a paschal offering, the sacrifice would nevertheless not become useless; and even if the original intention was to have the sacrifice serve as a paschal offering, from the fact that it was not the proper season it cannot render the sacrifice invalid. Thus the subsequent intention entirely supersedes the original."

Which is, however, the final law? Said Rabha: "A sacri-

fice which had been offered up at any other time of the year (not on the eve of Passover) with the dual intention of having it serve both as a paschal sacrifice and as a peace-offering is valid. Why so? For, let us see how it would be if the paschal lamb were brought at any time other than on the eve of Passover? It would certainly be invalid. If, however, the intention to bring as a Passover-sacrifice were changed to that of bringing it as a peace-offering, it would be valid; thus we must assume that the subsequent intention superseded the original. Therefore if the original intention was to offer it up as a paschal sacrifice, and the intention was added to have it serve as a peace-offering, we must say that in this case the subsequent intention supersedes the original intention, and the sacrifice is valid."

Rejoined R. Ada bar Ahabha: "Perhaps the difference exists, whether the man who brought the sacrifice stated explicitly the purpose for which he brought it, or whether he was silent; for let us see! If he offered up the sacrifice both to serve for those who should partake thereof as well as for those who should not, it is valid; but if he offered it up expressly for those who should not, it is not valid. Why should this be so? Had he offered it up without stating any intention it would certainly be valid, because it would be considered as serving for those who should partake thereof, and consequently we see that there a difference is caused by silence, or the expression of an intention."

Rabha replied: "What comparison is there between the two? If a man brought the paschal lamb without comment, it is until the time of its slaughter considered the Passover-sacrifice. If the man slaughtered it in silence, its condition remains unchanged; but can it be said that those who were to partake thereof were the same at the time of the slaughter as they were previously; for is it not the law that, until the time of slaughtering the lamb, those that were to partake thereof might change their mind and others take their place?"

The schoolmen propounded a question: "What is the law concerning a paschal lamb which had been offered up for its actual purpose at any time during the year but on the eve of Passover, but with a change in the name of the person for whom it was originally intended? Shall we assume that this would be equal to a change in the purpose of the sacrifice only and it would remain valid; or that, having been brought as a paschal offering not in its proper time, it is useless?" Said Rabha:

"A sacrifice which had changed owners must be considered as being ownerless during the time when it should be offered up and is thus rendered invalid."

MISHNA: If the paschal lamb were slaughtered for those who will not partake thereof, or for any that do not belong to the persons numbered to eat it, or for the uncircumcised, or for the unclean, it will not be valid; but if it were slaughtered for those who may partake thereof and (at the same time) for those that will not, or for those that are numbered to eat it and also for those that are not, or for the circumcised and also for the uncircumcised, or for the unclean and the clean, it will be valid. If the paschal lamb be slaughtered before noon, it is not valid, because it is written [Exod. xii. 6]: "Toward the evening." If it were slaughtered before the continual (evening) offering is brought, it is valid, provided someone had been stirring the blood until that of the continual daily offering was sprinkled; but if the blood (of the paschal lamb) had already been sprinkled (before that of the daily offering) it is nevertheless valid.

GEMARA: The rabbis taught: "What is meant by 'those who will not partake thereof'? A sick or an aged person. What is meant by 'those that were numbered to eat it and those that were not'? A family for whom the lamb had been slaughtered and another for whom it had not."

Whence do we adduce this? From the following teaching of the rabbis: It is written [Exod. xii. 4]: "According to the number of the souls," whence we infer that the paschal lamb must not be slaughtered except for those who were numbered to eat it. Shall we assume, that one who slaughtered the lamb for those who were not numbered to eat it only fulfilled a religious duty negligently, but the sacrifice is nevertheless valid? To that end the passage reiterates [ibid., ibid.]: "Shall ye make a count," which signifies, that otherwise it would be invalid. Rabbi said: Instead of "make a count" read "slaughter it," because the term "make a count" is expressed with "Thachoso" and the Syriac term for "slaughter" is "chos," and thus the passage appears as if one said to the other: "Slaughter it for me." Thus we have found the sources whence arises the prohibition to slaughter the lamb for those not numbered to eat it; but whence do we adduce that the lamb must not be slaughtered for those who will not partake thereof? In the same passage it is written: "Every man according to what he eateth,

shall ye make a count for the lamb"; hence those that partake thereof are accounted the same as those who are numbered to eat it.

If a man slaughtered the lamb for the circumcised only, but intended that the atonement which is made through sprinkling the blood should serve also for the uncircumcised, R. Hisda holds that the sacrifice is not valid, because an intention to serve the uncircumcised invalidates the sprinkling, while Rabba holds that such is not the case.

Said R. Ashi: R. Hisda and Rabba differ concerning the following passage [Lev. i. 4]: "And it shall be accepted for him to make atonement for him." Wherever it is written "for him," it refers to that person only and not also to his companion, and Rabba holds that such is the case only if his companion be in all respects his equal and among those for whom atonement is made; but the uncircumcised, not being in that class, cannot prove an impediment, for he was never thought of. R. Hisda, however, said: "The uncircumcised can be included in that class for whom atonement is made, because should he submit to circumcision he becomes in every respect the man's equal, and the passage which says 'for him' would necessarily exclude him. Thus the supposition that he can be circumcised renders him equal to being so."

Does then R. Hisda hold that the supposition that a thing can be accomplished renders it equal to having been accomplished? Have we not learned (page 74) that he does not admit of that theory? Let us say, then, that he does not hold to the theory of that supposition only in the case of a lenient ordinance, but in the case of one that is rigorous he assents to the same.

R. Huna the son of R. Jehoshua objected: "We have learned: If the paschal lamb, which was over the age of one year and was slaughtered at the proper time and for its proper purpose, and also if a man had slaughtered other animals for the purpose of serving as the paschal offering, at the proper time, R. Eliezer said, the sacrifices are absolutely useless, but R. Jehoshua declares, that the sacrifices are nevertheless valid sacrifices. Now, then, R. Eliezer holds the sacrifices to be useless if they were brought as paschal offerings at the proper time, but if they had not been brought at the proper time he would also admit that they were valid; why does he not hold to the (theory of) *supposition* that the sacrifice had been brought at the

proper time, and consequently hold it to be useless at all times?" Said R. Papa: "In the case of the Passover-sacrifice it is different; for it is written [Exod. xii. 27]: '*It is* the sacrifice of the Passover unto the Lord,' and this signifies, that it should ever remain thus, *i.e.*, it cannot be sacrificed for other purposes, nor can other things be sacrificed in its stead."

Thus, as the Passover-sacrifice if brought in its proper time for other purposes is rendered utterly useless, so other sacrifices if brought in its stead at the proper time are also rendered useless; but, as the Passover-sacrifice if brought for other purposes *not* in its proper time remains a sacrifice nevertheless, so should other sacrifices if brought in its stead *not* at the proper time also be permitted to remain valid.

R. Simlai came to R. Johanan and said to him: "Let Master teach me the contents of the book of ancestry," and R. Johanan asked him: "Whence art thou?" He replied: "From Lydda." "And where dost thou reside?" asked R. Johanan. "In Neherdai," was the reply. R. Johanan then remarked: "The contents of the book of ancestry must not be taught to inhabitants of Lydda or Neherdai, and so much the more thou, who art born in Lydda and residest in Neherdai, shouldst certainly not be taught." R. Simlai, however, was persistent, and persuaded R. Johanan to grant his request, whereupon R. Simlai remarked: "Thou canst teach me the contents of that book in three months." So R. Johanan picked up a clod of soil and threw it at R. Simlai, saying: "If Brurah, the wife of R. Meir, who was also the daughter of R. Hanina ben Tharadion, and who could learn three hundred Halakhas from three hundred great men in one day, could still not master the contents of the book of ancestry in three years, wouldst thou then learn it in three months?"

As R. Johanan was about to leave, R. Simlai said to him: "Rabbi, tell me the meaning of the clause in the Mishna stating, 'if a man slaughtered the Passover-sacrifice for its actual purpose or not for its actual purpose, for those who will partake of it or for those who will not partake of it.' What is the difference, and why is the one sacrifice valid and the other not?" and R. Johanan replied: "Taking into consideration that thou art a young scholar, I will answer thee: If the Passover-sacrifice was offered for its actual purpose or for another purpose the validity of the sacrifice itself is questioned, whereas if it were slaughtered for those who will partake thereof or those that

will not, it does not concern the sacrifice itself. In the first case no distinction can be made as to which part is intended for the one purpose and which for the other, while in the latter instance one may divide the sacrifice and say, 'This part shall serve for those who will partake thereof while the other shall serve for the sick and aged, or the other part will not be given to the sick and aged,' and thus the subsequent intention will be ignored, while in the first instance such would be impossible. The first instance can apply either to an individual or to a congregation, while the latter instance can only apply to a family but not to an individual. Again, the first instance can apply to all the four acts necessary to make it a sacrifice, namely, to the slaughtering, receiving its blood, bringing it to the altar, and sprinkling the blood; but the latter instance cannot apply to all four acts, because we have already learned that in the sprinkling of the blood the partakers of the sacrifice are not considered." (Commenting upon the answer of R. Johanan) R. Ashi said: 'The first two reasons cited by R. Johanan are virtually one and the same thing; for why is 'the validity of the sacrifice itself questioned,' because 'no distinction can be made'?"

Rami bar Judah in the name of Rabh said: "Ever since the book of ancestry was concealed, the power of our sages was on the wane and their eyes were stricken with blindness."

Said Mar Zutra: "The section of Chronicles between the passage concerning Azel and his six sons in the eighth chapter and the same passage in the ninth chapter (see Chronicles viii. 38 and ibid. ix. 44) required so much space in the book of ancestry that the material whereon it was written had to be transported by four hundred camels." *

We have learned in a Boraitha: Anonymous teachers say: "If, when slaughtering the Passover-sacrifice, the intention originally was that it serve for the uncircumcised and subsequently for the circumcised, it is valid. If the reverse was the case, it is not valid."

MISHNA: If a man offer the Passover-sacrifice while still having leaven in his possession, he thereby transgresses a negative commandment. R. Jehudah says: "The same rule applies to the continual daily offering (of that evening)." R. Simeon says: "If the paschal sacrifice was slaughtered for its proper

* According to the Aruch the passage commencing with Azel and ending with Azel in the one chapter required so much space, while the version rendered above is according to Rashi.

purpose on the eve of Passover with leaven, the mentioned transgression was committed; but if offered for any other purpose no guilt was incurred. As for other sacrifices, whether they were brought for their proper purposes or not (under their proper denominations or not), no guilt is incurred. If offered as a Passover-sacrifice on that festival, no guilt is incurred; but if offered under any other denomination (not for its proper use) guilt is incurred. As for other sacrifices (offered under the same circumstances during the Passover), a transgression is committed whether they were offered under their proper denominations or not, excepting in the case of the sin-offering, slaughtered not for its actual purpose (because concerning the sin-offering it is expressly written, 'a sin-offering *is it*'; hence if not brought for its actual purpose it cannot be considered a sacrifice at all)."

GEMARA: Said R. Simeon ben Lakish: "No guilt is incurred unless the man slaughtering the lamb, or the one sprinkling the blood, or the one of those who are to partake thereof, have leaven in his possession, and that only if he have it with him in the Temple." R. Johanan, however, said: "Even if he did not have it *with him* in the Temple." Their point of variance is based upon the word "with" (Hebrew (עַל) "al"). R. Simeon ben Lakish holds that "with" signifies "near by," while R. Johanan maintains that "with" may also mean, if the man have it in his possession wherever it may be. (The "with" under discussion is that to be found in the passage [Exod. xxxiv. 25]: "Thou shalt not offer the blood of my sacrifice *with* leaven.")

They have already disputed concerning the word "with" elsewhere? Why should their discussion be repeated? For this reason: If they disputed only concerning leaven on the Passover, R. Johanan might say, that leaven being a prohibited thing on that festival, it matters not where it is found, but concerning the cakes of the thanksgiving-offerings, which only become sanctified upon being brought into the Temple, R. Johanan might admit that the thanksgiving-offering would become invalid unless the cakes were brought with it into the Temple; hence it was necessary that R. Johanan should express his opinion to the effect that even in that case "with" signified, if they were in possession of the man bringing the thanksgiving-offering.

If the instance of the cakes only were mentioned, it might be assumed that Resh Lakish only holds that the cakes must

be brought *with* the thanksgiving-offering into the Temple, because they only become sanctified *in* the Temple, while in the case of the leaven, which is a prohibited article on the Passover, he might also admit that, no matter where it was situated, if it was only in possession of the man it would render the sacrifice invalid; hence *his* opinion in this case had to be cited.

R. Oshiya propounded a question to R. Ami: "If the man slaughtering the lamb had not leaven in his possession, but one of the congregation which was to partake thereof had, what is the law?" Said R. Ami: "What question is this? Does the passage then read, 'Thou shalt not sacrifice it with *thy* leaven'; it states explicitly, 'with leaven'?" Rejoined R. Oshiya: "According to thy opinion, then, even if any person had leaven in his possession, even if he were not connected with the sacrifice, is the man sacrificing culpable?" and R. Ami replied: "The passage reads: 'Thou shalt not offer the blood of my sacrifice with leaven; neither shall be left unto the morning the sacrifice of the feast of Passover,' and it signifies that one who can be culpable for leaving that sacrifice until morning is culpable for slaughtering with leaven." Said R. Papa: "Thus if the priest who burns the fat of that sacrifice have leaven in his possession, he is culpable, because the priest is subject to the negative commandment not to leave the fat until morning."

We have learned a Boraitha in support of R. Papa: "If a man slaughter the paschal lamb with leaven, he thereby transgresses a negative commandment provided he himself, or the one who sprinkles the blood, or one of the congregation which is to partake of the lamb have leaven in possession. If any other person, however, have leaven in his possession, it matters not. Thus only the slaughterer, the sprinkler, and the one who burns the fat of the sacrifice are guilty if having leaven in their possession, but not one who on the 14th day (of Nissan) pinches off the head of the fowl, brought as a sacrifice, by the back of its neck." *

"*R. Jehudah says: This rule applies to the continual daily offering,*" etc. What is the reason for R. Jehudah's statement? Because it is written [Exod. xxiii. 18]: "Thou shalt not offer the blood of *my* sacrifice with leavened bread," and "my" signifies the sacrifice designated especially for the Lord; and which is that? The continual offering (of the evening).

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* See Levit. v. 8.

"*R. Simeon says,*" etc. What reason has R. Simeon for his statement? From the fact that in the same passage "my" is mentioned twice, one refers to the paschal offering and the other to the other sacrifices. Why, then, did the passage not generalize the sacrifices and use the plural? In order to convey that at the time guilt was incurred on account of the paschal offering through leaven, no guilt was incurred on account of other sacrifices through the same means; but when no guilt was incurred on account of the mentioned sacrifice, it was incurred on account of the others.

"*If offered as a Passover sacrifice on that festival,*" etc. Thus guilt was incurred if the sacrifice was offered expressly for other than the Passover purpose, but if offered in silence no guilt was incurred? Why should this be so? Do we not know that if that sacrifice were brought at any other time of the year in silence it would be considered a peace-offering, and a peace-offering brought on the Passover with leaven would certainly make one culpable? Thus, we infer from R. Simeon's teaching to the effect that he is not culpable; that if a paschal lamb is brought without comment, it remains just what it is, and if it is intended for a peace-offering, it must be distinctly stated.

Said R. Hyya bar Garuda: "It was decided by the entire assembly that the Mishna should be explained thus: The case treated of is where the congregation were all rendered unclean through a corpse, in which case the Passover was postponed for one month and was called the Second Passover; then if the paschal offering was brought in silence, it was certainly brought as a Passover-sacrifice."

MISHNA: The Passover-sacrifice was slaughtered for three successive divisions of men, because it is written [Exod. xii. 6]: "The whole *assembly* of the *congregation* of *Israel* shall slaughter it"; (thus three divisions were necessary, according to the expressions) "*assembly,*" "*congregation,*" and "*Israel.*" The first division entered until the court of the Temple was filled, when the doors of the court were closed, and the cornet (horn) sounded Tekiah (one blast), Teruah (a succession of quick blasts), and Tekiah (another blast). The priests then placed themselves in double rows (file), each priest holding either a bowl of silver or a bowl of gold in his hand, but one row of priests had to hold all silver bowls and the other all gold—they were not allowed to be mixed. These bowls had no stands

underneath, so that the priests might not put them down and allow the blood to become coagulated.

The Israelite slaughtered and the priest received the blood and gave it to another priest, who in turn passed it to another, and each receiving a full bowl, at the same time returning an empty one; the priest nearest the altar squirted out the blood in one (continuous) stream at the base of the altar. (This done) the first division went out and the second entered; when that went out, the third entered; in the same manner as the first, so did also the second and third divisions proceed.

The Hallel (prayer of praise) was read (by each division): if they had finished (before completing their duties), they commenced it over again, and might even say it for the third time, although it never happened that there was occasion to say it thrice. R. Jehudah says: "It never happened that the third division read as far as the chapter commencing, 'It is lovely to me, that the Lord heareth my voice' (Psalms cxvi.),* because they were few in number."

The same things that were done on week-days were also done on the Sabbath, excepting that the priests would on that day wash the court, contrary to the wishes of the sages. R. Jehudah says: "A cup was filled with the mixed blood (of all the sacrifices) and was squirted out in one (continuous) stream on the altar"; but the sages would not admit that such was the case.

In what manner was the paschal sacrifice suspended and its skin removed? Iron hooks were affixed to the walls and pillars, on which the sacrifice was suspended and its skin removed.

Those who could not find a place to do it in that manner used thin, smooth sticks of wood provided there for that purpose, on which they suspended the paschal sacrifice (and resting the sticks) between the shoulders of two persons, to remove the skin. R. Eliezer says: "If the 14th (of Nissan) occurred on a Sabbath, one person would place his left hand on the right shoulder of another, the latter would place his right hand on the left shoulder of the former, and thus suspending the sacrifice on the arms would remove the skin with their right hands."

When the sacrifice had been opened, the pieces which were to be sacrificed on the altar were removed, placed on a large dish, and offered up with incense on the altar. When the first

* The Hallel prayer consists of the recital of six chapters of Psalms, from cxiii. to cxviii. incl.

division had gone out (on the Sabbath), they would remain on the mount of the Temple; the second would remain in the open space between the ramparts of the Temple, and the third division remained in its place. As soon as it became dark, they all went out to roast their sacrifices.

GEMARA: R. Itz'hak said: "The paschal sacrifice was not slaughtered unless there were three divisions of thirty men each; why so? Because it is written: 'The whole *assembly* of the *congregation* of *Israel*—thus '*assembly*' means ten men, '*congregation*' ten men, and '*Israel*' also ten men." It was doubtful, however, whether the thirty men had to be together, or whether only ten men at a time had to be present. So it was ordered that thirty men should enter, and as soon as ten were ready they went out, and ten others took their place; the next ten then left, and another ten entered; finally, the last thirty men went out together—thus each division numbered fifty men, or all three divisions one hundred and fifty men.

"*The first division entered,*" etc. It was taught: Abayi said, "that as soon as the first division entered the doors closed of themselves," while Rabha states, "that the doors were closed (by men), according to the teaching of the Mishna." What is the difference? According to Abayi, who states that the Mishna teaches that the doors closed of themselves, a miracle could be depended upon to gauge the number who were permitted to enter, while Rabha maintains that no miracle was depended upon, but that men appointed for that purpose would see when the court was filled and would then close the doors.

The rabbis taught: It never happened that a man was crushed to death by the vast throng except once during the time of Hillel, when an old man was killed in the crowd. On that account that Passover was called the "crushed Passover."

The rabbis taught: "Agrippa the king once wanted to know how many male Israelites there were. So he told the high-priest to keep account of the paschal lambs. The high-priest then ordered, that one kidney of each paschal lamb be preserved, and it was found that six hundred thousand pairs of kidneys were preserved; and this was twice the number of the Israelites who went out of Egypt. Naturally, this was exclusive of all Israelites who were unclean and could not offer the sacrifice, and all those who lived at a great distance from Jerusalem and were not in duty bound to be present. There was not a single paschal lamb that did not represent at least more than ten persons.

That Passover was ever afterwards known as the 'large Passover.'"

How could the kidneys be preserved? Was it not imperative that they should be offered up on the altar? The kidneys were merely deposited by one priest until another came along and substituted something else in their place.

"*The priests then placed themselves in double rows,*" etc. Why was this done? Shall we assume that, if this were not done, a priest might empty the blood contained in a golden bowl into a silver bowl, and thus degrade the sanctity of the blood of the sacrifice; then might not a priest also empty the contents of a bowl worth two hundred (dinars) into one worth only a hundred, and thus bring about the same condition? Hence we must say, that it was not on that account, but merely for the sake of better appearance.

"*These bowls had no stands underneath,*" etc. The rabbis taught: There were no bowls on the Temple that had any stands except those used to contain the incense which was placed near the showbreads, for had those bowls no stands it was feared that they might fall over on the sides of the showbreads and crush them.

"*The Israelite slaughtered.*" This is related by the Mishna in order to demonstrate that an ordinary Israelite may slaughter.

"*The priest removed the blood,*" etc. This is related in order to inform us that all subsequent acts necessary for the sacrifice were performed by the priests.

"*Gave it to another priest,*" etc. The Mishna teaches us thereby that [Proverbs xiv. 28]: "In the multitude of people is the King's glory."

"*Receiving a full bowl, at the same time returning an empty one.*" This bears out the statement of R. Simeon ben Lakish to the effect that a religious duty must not be passed by; *i.e.*, it must first be accomplished and then transferred to another; but not the reverse.

"*The priest nearest the altar,*" etc. Who is the Tana who holds that the blood of the Passover-sacrifice must be squirted at the base of the altar? Said R. Hisda: "That is R. Jose the Galilean, as we have learned in the following Boraitha: R. Jose the Galilean said: It is written [Numbers xviii. 17]: 'Their blood shalt thou sprinkle upon the altar, and their fat shalt thou burn as a fire-offering,' and as it does not say 'its blood' or 'its fat,' but in the plural, 'their blood' and 'their fat,' it signifies

that the blood of the firstlings and of the first tithes and of the Passover-sacrifice must be sprinkled, and the pieces which must be offered should be offered up on the altar."

Whence do we know, however, that the blood must be squirted at the *base* of the altar? Said R. Elazar: "By means of a comparison by analogy with the case of a burnt-offering, concerning which it is written [Levit. i. 11]: "And the sons of Aaron, the priests, shall sprinkle its blood upon the altar round about." Thus as in the passage quoted above [Numb. xviii. 7] "sprinkling" is also mentioned, the inference is that in both cases the sprinkling must be done at the base of the altar. Whence do we know that the blood of a burnt-offering must be sprinkled at the *base* of the altar? From the passage [ibid. iv. 18]: "And all the blood shall he pour out at the *base* of the altar of burnt-offering."

"*The first division went out,*" etc. We have learned in a Boraitha that the third division was called the "tardy division." Why should this be so? One division had to be the last? Everyone had to strive to be first, as we have learned in a Boraitha: "R. Jose said: The world cannot exist without an apothecary and without a tanner, yet well is to him who follows the profession of an apothecary and woe is to him who follows the calling of a tanner. The world cannot exist without males and females; yet well is to him who hath sons and woe is to him who hath daughters."

"*The priests,* etc., *would wash the courts, contrary to the wishes of the sages.*" Who were the sages who were opposed to this? Said R. Hisda: "That was only R. Eliezer, for the other sages all held that a rabbinical prohibition was never effective in the Temple." (See Tract Sabbath, page 187.)

"*R. Jehudah says, 'A cup was filled,'*" etc. We have learned in a Boraitha: R. Jehudah said: "A cup was filled with the mixed blood lest the blood of one of the bowls held by the priests be spilled in transit, and thus the sacrifice whence the blood came became invalid." R. Jehudah was asked, however: "Supposing the mixed blood was taken from that which was spilled on the ground and not from that which had been received in the bowls, would this not be unlawful?" and he replied: "I refer only to such as had been received in the bowls."

How could this distinction be made in the midst of such a vast multitude? The priests were very dexterous. If so, why was there fear that the blood of one of the bowls might be

spilled? Just because they were so dexterous, there is all the more reason to assume that in the handling of the bowls some of the blood might be spilt.

Was it not certain, however, that in that mixed blood there was the last (life) blood of the sacrifice (which must not be offered up on the altar)? R. Jehudah holds to his individual theory, that one kind of blood does not interfere with another, and if the proper blood was sprinkled it was sufficient.

"*The pieces*, etc., *were placed on a large dish and offered up.*" Did the same person offer it up on the altar? Read in the Mishna: He would place it on a large dish until a priest would come and offer it up.

We have learned in a Boraitha: As soon as a man had finished preparing his sacrifice, he would wrap up in the skin and carry it off. Said R. Elish: This is after the manner of the Ishmaelitish meat-dealers.

CHAPTER VI.

REGULATIONS CONCERNING ACTS WHICH SUPERSEDE THE DUE OBSERVANCE OF THE SABBATH—THE SACRIFICE OF THE PASCHAL OFFERING—WHAT IS TO BE DONE IF ONE SACRIFICE IS CONFOUNDED WITH ANOTHER.

MISHNA: The following acts necessary for the sacrifice of the paschal offering supersede the due observance of the Sabbath, namely: The slaughtering thereof, the sprinkling of its blood, the removal of its entrails, and the burning of the fat with incense; but the roasting of the sacrifice, as well as the washing of its entrails, does not supersede the due observance of the Sabbath. To carry and bring it beyond the sabbatical legal limits, or to remove a wen (or spreading sore) thereon, is an act which does not supersede the due observance of the Sabbath. R. Eliezer, however, says they do supersede it. "For," said R. Eliezer, "this is surely a logical sequence; if slaughtering an animal, which is prohibited on the Sabbath as being a principal act of labor, is allowed in this instance (of the Passover) and even supersedes the Sabbath, does it not follow that these two acts, which are only prohibited by rabbinical law, should also in this instance supersede the Sabbath?" R. Jehoshua answered and said: "The laws concerning the festival will prove the contrary; for many things prohibited on the Sabbath as being principal acts of labor are nevertheless permitted on the festival,* while other things which are prohibited by rabbinical law are yet prohibited on the festival."† R. Eliezer replied: "What is the matter with thee, Jehoshua? How canst thou adduce proof from purely voluntary acts (such as cooking) to such as are distinctly prohibited by biblical law?" R. Aqiba then answered: "The act of sprinkling (a person who had become unclean) will prove it; for that is a distinct biblical commandment and is only prohibited on the Sabbath by rab-

* Such as cooking, lighting a fire, splitting wood, etc.

† Such as moving things from one legal limit into another without the combination of an Erub. (*Vide* Tract Betza.)

binical law, still it does not supersede the due observance of the Sabbath;* do not therefore wonder that these acts, which are also religious duties, and are only prohibited on the Sabbath by rabbinical law, should still not be allowed to supersede the Sabbath." R. Eliezer replied, however: "I also adduce my inference from the act of sprinkling, and maintain that if slaughtering, which is prohibited to be done on the Sabbath as a principal act of labor, is in this instance allowed to supersede the due observance of the Sabbath, does it not follow that the sprinkling of a person who had become unclean, and which is only prohibited to be done on Sabbath by rabbinical law, should in so much greater a degree supersede the Sabbath?" But R. Aqiba said: "Rather conclude the reverse: for if the sprinkling, which is only prohibited by rabbinical law, nevertheless does not supersede the Sabbath, does it not follow that slaughtering, which is prohibited as a principal act of labor, should *a fortiori not* supersede the Sabbath?" R. Eliezer then said to him: "Aqiba! wouldst thou then annul what is written in the Scriptures [Numb. ix. 3]: 'Toward evening shall ye prepare it, *at its appointed season*,' (and which signifies) whether it be a week or a Sabbath day?" Rejoined R. Aqiba: "Rabbi, pray adduce a text that prescribes a particular (and appointed) time for the performance of these acts (mentioned in the first part of this Mishna), even as there is one concerning the slaughtering of the paschal sacrifice." The following rule therefore did R. Aqiba lay down: Every act necessary for the paschal sacrifice, which can be accomplished previous to the advent of the Sabbath, does not supersede the due observance of the Sabbath; but as the slaughtering of the paschal lamb cannot be done before the Sabbath, it supersedes the Sabbath.

GEMARA: The rabbis taught: The Halakha in the Mishna was not known to the children of Bathyra; for it once happened that the 14th (of Nissan) occurred on a Sabbath, and they did not know whether the Passover sacrifices superseded the due observance of the Sabbath or not. They therefore commenced to look around for a man who knew the Halakha, and they were told that there was a man who had recently come from Babylon, called Hillel of Babylon, and who had learned under the two greatest men of that generation, namely, Shemaiah

* Even if that day be the last day on which an unclean person may be sprinkled, and occur on the 14th (of Nissan), when should he not be sprinkled, he would not be allowed to partake of the paschal lamb.

and Abtalion; he would probably be able to aid them in their dilemma. They sent for him and asked him: "Dost thou know whether the Passover-sacrifice supersedes the Sabbath?" and he answered: "Have we only one Passover-sacrifice that supersedes the Sabbath? are there not over two hundred sacrifices that supersede the Sabbath?" (*i.e.*, the continual daily offerings which are offered twice on the Sabbath and the additional two sacrifices which are brought especially on the Sabbath). But they insisted upon his basing his assertion upon some actual text, and he said: "As it is written concerning the continual daily sacrifice [Numb. xxviii. 2]: 'My offering, etc., shall ye observe to offer unto me in its due season,' and the same term, 'at its appointed season,' is mentioned in connection with the Passover-sacrifice [Numb. ix. 2], therefore both may supersede the Sabbath. Aside from this analogous deduction, there is also an *a fortiori* conclusion; for if on account of the continual daily sacrifice, for the neglect of which the penalty of Kareth is *not* incurred, the Sabbath may be violated, so much the more is this allowed on account of the Passover-sacrifice, for the omission of which the penalty of Kareth *is* incurred." When they heard this, they immediately placed him at their head and made him a prince. Thereupon he sat all day and preached upon the Halakhoth of the Passover.

Subsequently Hillel began to reproach them, and said: "What induced you to set me up as a prince among you? Only your own idleness in not taking advantage of the learning of the two great men of your generation, Shemaiah and Abtalion."

The following question was propounded to Hillel: "What is the law if a man had forgotten to bring the slaughtering knife on the day preceding the Sabbath?" He answered: "I have heard the Halakha but have forgotten it. Leave this, however, to the Israelites themselves, for though they are not prophets they are descendants of prophets, and they will know what to do." On the morrow he noticed that those who brought sheep as a sacrifice had the knife thrust in the wool of the sheep and those that brought goats as a sacrifice had the knife stuck between the horns, whereupon he remembered the Halakha covering the case and exclaimed: "Thus is the tradition which I have received from my masters Shemaiah and Abtalion."

The Master said: It is written, "in its due season," etc. Whence is it adduced, however, that the continual daily sacrifice

supersedes the due observance of the Sabbath ? From the passage " in its due season " ? Is not the same passage to be found in connection with the paschal offering ? Why, then, was the question put concerning the latter, while concerning the former it seemed to be an established fact that the Sabbath might be violated on its account ? Certainly such is the case! For it is explicitly stated [Numb. xxviii. 10]: " This is the burnt-offering of the Sabbath on every Sabbath, *besides* the continual burnt-offering and its drink-offerings."

The Master said: " On the morrow those who brought a sheep as their sacrifice had the knife thrust in the wool." Would this not constitute the performance of work with a consecrated thing (which is prohibited) ? This is in accordance with the custom of Hillel, concerning whom it is said, that in his time not a single transgression was committed with the consecrated animals, because he instituted the custom that they be brought to the court of the Temple in a non-consecrated state, and consecrated in the court of the Temple.

How can the Passover-sacrifice, however, be brought as an ordinary animal in the Temple on the Sabbath ? It is not allowed to consecrate things on the Sabbath ? This applies only to ordinary articles which were to be consecrated, but not to such as it was a duty to consecrate; for R. Johanan said, that Passover sacrifices may be consecrated on a Sabbath and a festival sacrifice on a festival.

When bringing the sheep with the knife in its wool, did not that constitute an indirect performance of work on the Sabbath, which, although it was not prohibited by biblical law, was nevertheless prohibited by rabbinical law ? This was the question propounded to Hillel, whether an act prohibited only by rabbinical law but not by biblical might be performed on the Sabbath in order to discharge a religious duty, and in answer to which he said that he had forgotten the Halakha, but which he afterwards remembered and decided in the affirmative.

Said R. Jehudah in the name of Rabh: " He who is arrogant, if he be one of the sages his wisdom leaveth him, and if he be a prophet his power of prophecy forsaketh him. If he be a sage his wisdom leaveth him, is aptly illustrated by the case of Hillel, who, as soon as he reproached the people and vaunted his own greatness, when asked concerning a certain Halakha admitted that he had forgotten it; and if he be a prophet his power of prophecy forsaketh him, may be inferred from the case

of Deborah the prophetess, as it is written [Judges v. 7]: 'Desolate were the open towns in Israel, they were desolate until that I arose, Deborah, that I arose a mother in Israel,' while further on it is written [ibid. 12]: 'Awake, awake, Deborah,' whence the conclusion that her power left her, for otherwise the admonition to awake would be unnecessary."

Resh Lakish said: A man who becomes angry, if he be a sage his wisdom leaveth him, and if he be a prophet his power of prophecy forsaketh him. The first instance is illustrated by the case of Moses, as it is written [Numb. xxxi. 14]: "And Moses was wroth with the officers of the host," and further it says [ibid. 21]: "And Elazar the priest said unto the men of the army who had gone to the battle, This is the ordinance of the law which the Lord hath commanded Moses," whence the inference that Elazar said this because Moses must have forgotten it. The second instance is illustrated by the case of Elisha the prophet, as it is written [II Kings iii. 14]: "And Elisha said, As the Lord of hosts liveth, before whom I have stood, surely, were it not that I regard the presence of Jehoshaphat the king of Judah, I would not look toward thee, nor see thee," while in the following passage it is said: "But now bring me a musician. And it came to pass, when the musician played, that the inspiration of the Lord came upon him," whence the conclusion that his power forsook him and could be restored only by the aid of a musician. R. Mani bar Patish said: If a man becomes angry, even if greatness had been predestined for him, it is not granted him, and whence do I adduce this? From the case of Eliab, as it is written [I Samuel xvii. 28]: "And Eliab's anger was kindled against David, and he said, Why didst thou come down hither? and with whom hast thou left those few sheep in the wilderness? I know thy presumption, and the wickedness of thy heart; for in order to see the battle art thou come down," and it is also written, that when Samuel went to anoint one of the sons of Jesse as a king, and the other sons of Jesse were brought before him, he said: "This one also hath the Lord not chosen" [ibid. xvi. 8, 9], while concerning Eliab it is written [ibid. 7]: "But the Lord said unto Samuel, Regard not his appearance, nor the height of his stature; because I have rejected him," whence the conclusion that the Lord had previously intended to have him anointed, but on account of Eliab's anger He had subsequently rejected him.

From what we have learned so far, we know that the contin-

ual daily offering and the Passover-sacrifice supersede the Sabbath, but whence do we know that they also supersede the law of uncleanness? I will tell you! In the same manner as we have deduced (by analogy) from the continual daily offering the law of the Passover-sacrifice, so we deduce from the Passover-sacrifice, which supersedes uncleanness, that the continual daily sacrifice also supersedes uncleanness. Whence do we know that the Passover-sacrifice itself supersedes the law of uncleanness? Said R. Johanan: "Because it is written [Numbers ix. 10]: 'If any man whatever should be unclean by reason of a dead body,' etc., we infer from the term, 'any man whatever,' that only individuals must defer the Passover-sacrifice until the second Passover; but if there is a congregation they should prepare the paschal lamb, notwithstanding the fact that they are unclean."

"*The washing of its entrails.*" What is meant by washing the entrails? Said R. Huna: "The entrails are pricked with a knife and then washed," and R. Hyya bar Rabh says: "They are merely pressed with a knife, and in that manner the filth is removed."

It is written [Isaiah v. 17]: "Then shall the sheep feed according to their wont, and the ruins of the fat ones shall sojourners eat." Said Menasseh bar Jeremiah in the name of Rabh: The term "according to their wont" being expressed by (the Hebrew word) *Kedabram*, and "*Debur*" meaning "speaking," the expression *Kedabram* should be explained to mean, "as they were spoken of." The word "sheep" refers to the Israelites, and thus the passage signifies: "Then shall the Israelites feed as they were spoken of." What was spoken of concerning them? Said Abayi: "By the latter part of that verse and by the 'sojourners' are meant the righteous who at that time were strangers, but in the future they would be the inhabitants and feed on the ruins of the fat ones." Said Rabha to him: This interpretation would be correct if there were not the word "and" between the two passages, but that word gives the latter passage a distinct significance; therefore, said he, the passage will have the meaning given it by R. Hananel in the name of Rabh, who said that in the future the righteous would have the power to arouse the dead; because in this passage quoted it is said: "Then shall the sheep feed according to their wont," and in another passage [Micah vii. 14]: "Let them feed in Bashan and Gilead, as in the days of old." By Bashan is meant Elisha,

the man of Bashan, as it is written [I Chronicles v. 12]: "Yanai and Shaphat in Bashan," and [II Kings iii. 11]: "Elisha the son of Shaphat" (hence Elisha, being the son of Shaphat, was from Bashan). By Gilead is meant Elijah, as it is written [I Kings xvii. 1]: "Elijah the Tishbite, who was of the inhabitants of Gilead" (and both of these prophets Elijah and Elisha roused the dead). Thus the original passage quoted [Isaiah v. 17] should be interpreted as follows: As in the days of old Elijah and Elisha aroused the dead, so will in the future other righteous men also have that power.*

R. Samuel ben Na'hmeni in the name of R. Jonathan deduces the above conclusion from the passage [Zechariah viii. 4]: "Thus hath said the Lord of Hosts, Again shall there sit old men and women in the streets of Jerusalem, and every one with *staff* in hand because of their multitude of years"; and as it is written [II Kings iv. 29]: "Lay my *staff* upon the face of the lad," the inference that the righteous will have the power to arouse the dead is deduced from the analogy of the two passages, the latter of which deals with the arousing of the dead.

"*The burning of the fat with incense.*" We have learned in a Boraitha: R. Simeon said: "Come and observe how pleasing the fulfilment of a religious duty at its proper time was to them! We well know that the burning of the fat and of certain pieces could be accomplished at any time during the night; still they did not postpone it, but accomplished it immediately."

"*To carry and bring it beyond the sabbatical legal limits.*" (This passage of the Mishna is explained in Tract Erubin, pages 245–246.)

"*For, said R. Eliezer, if slaughtering an animal,*" etc. (What could R. Jehoshua reply to this?) R. Jehoshua holds to his individual theory, that the enjoyment of a festival by feasting and drinking is also a religious duty (as explained in a Boraitha on Tract Betza).†

"*R. Aqiba then answered: The act of sprinkling,*" etc. We have learned in a Boraitha: R. Eliezer said to him: "Aqiba, thou hast refuted my assertion with (the instance of) slaughtering; by slaughter shalt thou suffer death!" Said R. Aqiba: "Rabbi, the time when thou judgest me, do not deny what

* This lecture is inserted because in the previous paragraphs sheep were dealt with in connection with the Passover-sacrifice.

† The entire argument concerning the enjoyment of a festival will be brought up at its proper place in Tract Betza (Yom Tob).

thou thyself taughtest me! The tradition I quote comes from thee, that sprinkling (an unclean person) is a rabbinical law and does not supersede the due observance of the Sabbath."

If R. Eliezer actually taught R. Aqiba to this effect, why was he angry with him? R. Eliezer had forgotten that teaching, and R. Aqiba reminded him through his answer. Why did R. Aqiba not say at the time that he had learned it from R. Eliezer? Because it is not seemly that a teacher be told that he had forgotten.

Why should sprinkling not supersede the due observance of the Sabbath; it is only a matter of holding a little water, and if necessary to enable a man to partake of the paschal lamb, why should it not be permitted on the Sabbath? Said Rabha: "The prohibition is merely a precautionary measure, lest a man carry the water four ells in public ground."

According to R. Eliezer, however, who maintains (in Tract Sabbath) that the preparation for the accomplishment of a religious duty supersedes the Sabbath, what matters it if the water was carried four ells in public ground? I will tell you! R. Eliezer in that instance refers to a religious duty which the man is already obliged to discharge, but in this case the man, being still unclean, is not subject to the performance of that duty, but by being sprinkled is merely rendered so, and in such a case R. Eliezer does not apply his decision.

Rabha said: "According to the opinion of R. Eliezer just quoted, it is permitted to heat water on Sabbath for a child who is *healthy*, in order to strengthen it, and then circumcise it, because the child is already subject to the performance of that duty; but if the child is not well, heating water is not permitted, because in such a condition the child is *not* subject to that duty." Replied Rabha: "If the child is healthy, what need is there of heating water for it? Therefore," said he, "with respect to circumcision, all children are considered as being unwell until they are bathed, and are not subject to the duty of circumcision prior to being bathed. Hence no water should be heated for a child who is healthy, according to R. Eliezer, on the Sabbath, but on the preceding day."

"*The following rule therefore did R. Aqiba lay down,*" etc. Said R. Jehudah in the name of Rabh: "The Halakha prevails according to R. Aqiba." Concerning circumcision R. Aqiba laid down the same rule, and R. Jehudah also said in the name of Rabh, that the Halakha prevails according to R. Aqiba. (At

the proper place in Tract Sabbath the reason why R. Aqiba made the rule in both instances is explained, page 295.)

MISHNA: Under what circumstances is it allowed to bring a festal offering in addition to the paschal sacrifice? When the paschal sacrifice is sacrificed on a week-day, when those offering it are legally (ritually) clean, and if it is insufficient for the number appointed to partake thereof. But if it is sacrificed on a Sabbath, if it *is* sufficient for those appointed to eat it, or when those are legally unclean, no festal offering may be brought in addition to the paschal sacrifice. The festal offering may be brought of the flock, of cattle, lambs or goats, and may be either male or female (animals); the time during which it is a duty to consume it is two days and a night.

GEMARA: The Tana who holds that a festal offering must not be brought on the Sabbath is also the same who maintains that bringing or carrying the paschal sacrifice from beyond the sabbatical legal limits does not supersede the due observance of the Sabbath. Thus the statement in our Mishna is merely supplementary to that of the previous Mishna, and signifies that a festal offering may be brought only on a week-day, but it does not supersede the Sabbath.

For what purpose is a festal offering brought generally in addition to the paschal sacrifice? As we have learned in the following Boraitha: "The festal offering which is brought in addition to the paschal offering should be eaten prior to the latter, in order that the paschal offering may be the last to satiate the appetite of those who partake thereof."

"*Two days and a night*," etc. Our Mishna is not in accordance with the opinion of Ben Thamah. We have learned in a Boraitha: Ben Thamah said: "The festal offering brought in addition to the paschal sacrifice is in all respects equal to the paschal sacrifice itself, and should be eaten only in the course of one day and night. The festal offering, however, brought on the 15th (the festival proper) should be consumed during the course of *two* days and one night. The festal offering brought on the 14th with the paschal sacrifice only fulfils the duty of enjoying the festival, but the injunction not to come empty-handed into the Temple is not satisfied thereby. The festal offering brought in addition to the paschal sacrifice must be brought of sheep only, but not of oxen; it must be male and not a female, and not over one year old. It should be consumed in the course of one day and night, and must not be eaten

except it be roasted, and not by any except those appointed to eat the paschal sacrifice."

What is Ben Thamah's reason for this statement? He bases it upon the teaching of Rabh to Hyya the son of Rabh, as follows: It is written [Exod. xxxiv. 25]: "Neither shall be left unto morning the sacrifice of the feast of the Passover." From the fact that the passage states "the feast of the Passover," while it could have merely said "the Passover," it must be assumed that the festal offering brought in addition to the paschal sacrifice is meant, and the verse distinctly states that it must not be left until morning.

We have learned in a Boraitha: Jehudah ben Durthai and his son Durthai severed themselves from the company of the other sages and settled in the South (on account of the decree of the sages to the effect that the festal offering does not supersede the Sabbath). He said to them: "When Elijah will come and ask you why ye did not offer a festal offering on the Sabbath, what will ye answer?" and, moreover, he said: "I am astonished at the two great men of this generation, Shemaiah and Abtalion, who were so wise and such excellent preachers, that they did not teach in Israel that the festal offering supersedes the due observance of the Sabbath."

Said Rabh: What was the basis of Ben Durthai's statement? It is written [Deut. xvi. 2]: "And thou shalt sacrifice the Passover-offering unto the Lord thy God, of sheep and oxen," and this surely cannot refer to the paschal sacrifice alone, which must be brought only of sheep and goats. Hence by "sheep" is meant the paschal sacrifice and by "oxen" the festal offering, and as it says "thou shalt sacrifice," it certainly refers to the Sabbath also. Said R. Ashi: Shall we rack our brains to find justifications for men who had severed themselves from the company of our sages? Therefore say, rather, that the passage just quoted refers to the statement of R. Na'hman, who said in the name of Rabba bar Abbahu: Whence do we know that such sheep as had been left over from those which had been separated as paschal sacrifices may be brought as peace-offerings? Because it is written: "Thou shalt sacrifice the Passover-offering unto the Lord thy God, of sheep and oxen," and this surely cannot refer to the paschal sacrifice alone, which must be brought only of sheep or goats. Hence we must say that whatever remains over from the paschal sacrifice may be used for such sacrifices as can be brought either from sheep or oxen.

Why does the festal offering in reality not supersede the Sabbath, according to the decree of the sages? Is it not a congregational sacrifice, and as such privileged to supersede the observance of the Sabbath? Said R. Ilayi in the name of R. Jehudah ben Saphra: It is written [Levit. xxiii. 41]: "And ye shall keep it as a feast unto the Lord seven days in the year." The Feast of Tabernacles (to which this passage refers) is, however, to be observed eight days? Hence we must assume that the festal offering does not supersede the observance of the Sabbath, and (leaving out the Sabbath in consequence) there are only seven days left.

When Rabhin came from Palestine he said: "I once said in the presence of my masters that the Feast of Tabernacles may sometimes last only six days. If, *f.i.*, the first day occurs on Sabbath, the last day would also be Sabbath, and as it is not allowed to bring festive offerings on those days, the festival lasts only six days." *

Said Abayi: "This statement could not have been made by Rabhin (R. Abhin), but rather by Abhin Thekla (Thekla means one who is childless or has lost his children), because it cannot stand; for eight feast days can never occur in succession, as one must be a Sabbath; seven feast days are the rule, whereas it seldom happens that there should be only six." †

Ula said in the name of R. Elazar: A peace-offering brought on the eve of Passover cannot serve for the fulfilment of the duty of rejoicing on the festival nor for the festal offering to be brought with the paschal sacrifice. The first duty is not discharged, because it is written [Deut. xxvii. 7]: "And thou shalt slay peace-offerings, and eat them there, and thou shalt rejoice before the Lord thy God." Hence the peace-offering must be slain when the time for rejoicing had already arrived, *i.e.*, on the festival; but on the *eve* of Passover it had not yet arrived. The second duty is not acquitted, because a festive offering must be brought of ordinary animals and not of consecrated,

* This statement of Rabhin is virtually a refutation of R. Ilayi's inference that the Feast of Tabernacles lasts only seven days, because the Sabbath, on which no festive offering is brought, is not counted—by stating that at times the Feast could last only six days.

† The original text only reads: "Could Abhin Thekla have said this?" In the commentary of Solomon Lurie, entitled "Yam shel Shlomo," it is stated, and rightly so, that Abayi would not have spoken so disrespectfully of Rabhin, who lived generations before him and was a great man, and hence the explanation rendered by us is given.

and an animal brought as a peace-offering is already consecrated.

When Rabhin came from Palestine, he said, however, in the name of R. Elazar: "A peace-offering brought on the eve of Passover fulfils the duty of rejoicing on the festival, as it need not be brought at the time when rejoicing is already a duty but may be brought previously; but it does *not* fulfil the duty of bringing the festal offering, because it is consecrated, and the festal offering must be brought of non-consecrated (ordinary) animals."

An objection was made: It is written [Deut. xvi. 15]: "And thou shalt only rejoice," and this is an additional behest to rejoice also on the night of the last day of the festival. Perhaps this additional behest refers to the first night? The word "only" in the passage makes the distinction, and confirms the view that it means the last night. Hence we must assume that on the first night rejoicing is not possible, because there was nothing to rejoice with; *i.e.*, the peace-offering was not yet permitted to be slaughtered and the flesh (with which it is necessary to celebrate the festival) could not yet be had. (Is this not contradictory to Rabhin's decree?)

Nay; the reason the first night is not included in the additional behest is as is taught in the following Boraitha: Why is the last night of the festival included in the additional behest and the first night excluded? The last night was preceded by rejoicing and is for that reason included, while the first night was preceded by ordinary days and is for that reason excluded.

R. Kahana said: "Whence do we know that the pieces of the festal offering which was sacrificed on the 15th day (*i.e.*, the festival proper) are invalid if allowed to remain until morning? Because it is written [Exod. xxiii. 18]: 'Neither shall the fat of my festive sacrifice remain until morning,' and immediately following this it is written: 'The first,' etc., whence we adduce that the morning must be the first and not the second morning."

R. Joseph opposed this: "So it is only because the subsequent verse commences with 'the first' that the pieces of the festal offering may remain only until the first morning, but if the verse did not commence with 'the first' it would be allowed to leave them even until the second morning? Can it be that the pieces of a sacrifice the flesh of which becomes useless in the

night of the day it was offered may remain even until the second morning?" Rejoined Abayi: "Why not? Do we not find in the case of the paschal offering, according to the opinion of R. Elazar ben Azariah, that while the flesh thereof becomes invalid in the middle of the night, the pieces to be offered up become invalid only in the morning?"

Rabha answered: "R. Joseph means to ask, 'Where do we find an instance of where the Tana dispenses with a passage referring to the flesh, whereas R. Kahana brings a passage regarding the pieces of the sacrifice.'"

MISHNA: If a person brought a paschal sacrifice on the Sabbath, not for its proper purpose, he is obliged to bring a sin-offering in expiation. If he slaughtered other sacrifices to serve as a paschal offering, if they were such that they could not be suitable for the paschal sacrifice, he is guilty; but if they were suitable for that purpose, R. Eliezer declares him culpable, but R. Jehoshua declares him free. For thus argues R. Eliezer: If a person is held to be culpable for changing the name (denomination) of the paschal sacrifice, which he is allowed to slaughter on Sabbath, does it not follow that if he brought sacrifices which were in themselves prohibited to be brought on the Sabbath, under another denomination, that he must in so much greater a degree be considered culpable? To this R. Jehoshua replied: "Nay; we cannot apply the decree concerning a sacrifice which was changed to what was prohibited to offer on the Sabbath, to other sacrifices which had been changed to that which was permitted to be brought on the Sabbath." R. Eliezer replied: "The offerings brought for the whole congregation of Israel shall prove my assertion, for it is lawful to offer them on the Sabbath for their proper purpose; yet whoever brings other sacrifices under their denomination is held to be guilty." Then R. Jehoshua rejoined: "Nay; we cannot apply the decree concerning the offerings of the whole congregation, which have a determinate number, to the paschal sacrifices, which have no determinate number." R. Meir said: One who also offers on the Sabbath other offerings under the denomination of those of the congregation is absolved.

If a person slaughtered the paschal sacrifice for those who will not partake thereof, or for persons who are not appointed to partake thereof, and for uncircumcised and unclean persons, he is culpable; but if he had slaughtered it for those who will and also for those who will not partake thereof, for those appointed

to eat it and for those who are not, for circumcised as well as for uncircumcised, or for clean and also for unclean persons, he is absolved.

If one slaughtered (the paschal lamb) and a blemish was found thereon, he is culpable; but if, after being slaughtered, it was found to be Trephah (prohibited to be eaten) on account of inward blemishes, he is not culpable. If after slaughtering (the lamb) the man was advised that the participants had withdrawn themselves from it, or had died, or become defiled, he is absolved, because when he slaughtered it, it was under lawful circumstances.

GEMARA: How is the case to be considered concerning the man who brought a paschal sacrifice not for its proper purpose? Shall we assume that he made a mistake (and thought that he was slaughtering another sacrifice), and still he is held culpable? Whence the inference that the denomination of a thing may also be annulled through error; but this is not so. Therefore it must be assumed that there was no error, but that the man intentionally sacrificed the paschal offering for another purpose (*f.i.*, for a peace-offering); if so, how will the latter clause, to the effect that if he slaughtered other sacrifices to serve for a paschal offering and they were suitable for a paschal offering, R. Jehoshua declares him free, be consistent; for if he did so intentionally, what difference does it make whether the sacrifices were suitable or not, the fact that he sacrificed them on the Sabbath remains—how then could R. Jehoshua declare him free? Hence it must be assumed that this latter clause refers to one who did so through error, and in such an event the first clause of the Mishna will treat of an intentional case while the next clause will refer to an act committed through error? Said R. Abin: "Such is indeed the case."

R. Itz'hak bar Joseph found R. Abbahu standing amongst a crowd of men in a room and asked him how this Mishna should be understood, and he answered: "The first clause deals with an intentional case and the next clause with an erroneous commission of an act." R. Itz'hak learned this from R. Abbahu forty times, and he then retained it forever.

An objection was made, based upon the Mishna where R. Eliezer said to R. Jehoshua: "If a person is held to be culpable for changing the denomination of the paschal sacrifice," etc. If, however, the first clause treats of an intentional case and the next clause of a case of error, would not R. Eliezer's argument

be sufficiently answered by R. Jehoshua simply claiming that the man is free because he committed the deed through error? R. Jehoshua meant to state: According to my opinion, thy argument does not hold good, from the very fact that I hold a man to be free if he committed the deed by mistake; but even according to thy opinion, that a man is also culpable when committing an act through error, thy argument is not effective, for in the first instance the sacrifice was changed to an offering which is prohibited to be brought on Sabbath, while in the second instance the sacrifice was changed to one which might be brought on Sabbath.

R. Eliezer replied: "The offerings brought for the whole congregation of Israel shall prove my assertion, for it is lawful to offer them on the Sabbath for their proper purpose; yet whoever brings other sacrifices under their denomination is held to be guilty." Then R. Jehoshua rejoined: "We cannot apply the decree concerning the offerings of the whole congregation, which have a determinate number, to the paschal sacrifices, which have no determinate number." Shall we then assume, that where there is a determinate number R. Jehoshua holds a man to be culpable; have we not learned in the case of where two children were to be circumcised, one on the eve of Sabbath and the other on the Sabbath, and by mistake the father had the one to be circumcised on the eve of Sabbath circumcised on the Sabbath, R. Jehoshua declared him free, although there was just *one* (*i.e.*, a determinate number) to be circumcised on Sabbath? Said R. Ami: "The case of the two children to be circumcised was as follows: One of them was to be circumcised on the Sabbath and the other on the eve of Sabbath. When the Sabbath had arrived neither one was yet circumcised, and the father by mistake had the one who was to have been circumcised on the preceding day circumcised on the Sabbath. In doing this he was confused in the performance of a religious duty, however, and for that reason R. Jehoshua declares him free, while in the case of the offerings for the congregation the actual offerings to be brought had already been sacrificed and the man who brought other offerings under their denomination did so when the religious duty had already been fulfilled, and for that reason he is held to be culpable."

What about R. Meir? Does he declare a man free who had offered other sacrifices under the denomination of those of the congregation, even if the actual congregational offerings had

already been sacrificed? From R. Meir's explanation* (Sabbath, page 306), according to the teaching of R. Hyya of the city of Abel Arab, however, of the dispute between R. Eliezer and R. Jehoshua, do we not see that such is not the case? Said the disciples of R. Janai: In the case of the circumcision R. Meir means to state that the child to be circumcised on the Sabbath had already been circumcised on the eve of Sabbath, and thus no child was left to make it obligatory to violate the Sabbath on its account, hence R. Jehoshua declares the man culpable; but in this case, where the Sabbath would be violated for a congregational sacrifice, R. Meir holds that any other sacrifices brought under that denomination are brought with the intention of fulfilling a religious duty, and for that reason they do not make a man culpable.

Said R. Ashi to R. Kahana: "Why should this latter case differ from the former; if a Sabbath may be violated for other congregational sacrifices, it may surely be violated also for other children who are to be circumcised on that day?" R. Kahana replied: "In that particular instance the Sabbath could not be violated by the father of the children, because he had no child for whom this would have been necessary, while the instance of the congregational sacrifice embodies a multitude of men and applies to all alike."

"*If a person slaughtered the paschal lamb for those who will not partake thereof,*" etc. Is this not self-evident? We well know that if a man slaughtered on an ordinary Passover-day a sacrifice for those who will not partake thereof the sacrifice is invalid; surely, then, if he did so on a Sabbath which was also Passover, he is culpable! Because the latter clause, concerning one who slaughters a sacrifice for those who will and those who will not partake thereof, teaches that the man is *not* culpable, it also cites the instance of where he *is* culpable. Is this latter case not self-evident? If the sacrifice was offered on an ordinary Passover-day under the same circumstances, we know that it is valid; surely, then, a man is not culpable if he offers it on Sabbath! Hence we must assume that because the Mishna commences with an instance of where the sacrifice was brought not for its proper purpose, it also mentions the case of where it was brought for those who will not partake of it.

* In the Boraitha of R. Meir's explanation, Sabbath, 30, last paragraph before the Mishna, the words "taught R. Hyya" are missing. Here, however, it says, "R. Hyya of Abel Arab," which in the original of Sabbath is not mentioned at all.

For what purpose was the original clause in the Mishna cited? In order to quote the dispute between R. Eliezer and R. Jehoshua.

"*If after slaughtering the man was advised that the participants had withdrawn,*" etc. R. Huna said in the name of Rabh: "A trespass-offering which became ownerless (when it must be allowed to feed until it receive a blemish) and was slaughtered without its being stated for what purpose, is valid as a burnt-offering." Thus we see that it is not absolutely necessary to annul its original denomination in order to make it valid for another, but it may be offered up without comment.—Why, then, should it be necessary to allow it to feed until it receives a blemish, would it not be valid if, for instance, the owner had offered up something in its place and immediately offered *it* up without comment? This is merely a precautionary measure, to prevent a man from offering up a trespass-offering which was not yet substituted by another offering.

R. Hisda objected to R. Huna, and based his objection upon our Mishna, which says: If after slaughtering (the lamb) the man was advised that the participants had withdrawn themselves from it, he is absolved, because when he slaughtered it, it was under lawful circumstances; and a Boraitha teaches, that if a case like this happen on an ordinary Passover-day and not on a Sabbath, the sacrifice must be immediately burned. This would be perfectly proper if the original denomination of the sacrifice had to be plainly annulled, because, as long as its denomination is not annulled, a paschal offering remains what it is, and if it have no owner it must be immediately burned, because it becomes of itself invalid; but if the denomination need not be plainly annulled and if sacrificed without comment it is of itself changed into a peace-offering, then it becomes invalid, not because the invalidity is contained in itself, but because it was offered after the continual daily offering (of the evening), and we well know that in such an event the offering must not immediately be burned, but must be left until morning and then burned. Why, then, does the Boraitha decree that it must be immediately burned?

R. Joseph the son of R. Sala the Pious explained before R. Papa that the Boraitha is in accord with the opinion of Joseph ben Hunai, as we have learned in a Mishna: Joseph ben Hunai said: All sacrifices offered under the denomination of a paschal offering or a sin-offering are invalid. Whence we see that the

invalidity is contained in itself and does not arise on account of other circumstances. For that reason the Boraitha decrees that it must be immediately burned. So far as the commission of an act through error is concerned, Joseph ben Hunai holds with R. Jehoshua, and absolves the culprit.

CHAPTER VII.

REGULATIONS CONCERNING THE ROASTING OF THE PASCHAL LAMB—THE MANNER OF PROCEDURE IF THE PASCHAL LAMB BECOME DEFILED—WHICH PARTS OF THE LAMB ARE EATEN.

MISHNA: How should the paschal lamb be roasted? A spit made of the wood of the pomegranate-tree should be taken, put in at the mouth (of the lamb or kid), and brought out again at the vent thereof. Its legs and entrails should be placed inside, according to R. Jose the Galilean; but R. Aqiba said: This would be a kind of boiling, and for that reason they ought to be suspended on the outside (of the lamb). The paschal sacrifice must not be roasted on an iron roasting spit, nor on a gridiron. Zadok related that Rabbon Gamaliel once said to his bondsman Tabbi: "Go and roast for us the paschal sacrifice on a gridiron."

GEMARA: Why should the spit be made of wood? Let it be an iron spit. Nay; when part of an iron spit is heated the entire spit becomes hot, and in consequence the flesh nearest the spit will be cooked by the heat thereof; but the Scriptures distinctly ordain that the lamb must be roasted over a fire, and not otherwise.

Why not use the wood of a date-tree? On account of the bark, which contains water, and when heated the water thereof will be the means of cooking part of the lamb, and this must not take place. Our Mishna is not in conformity with the opinion of R. Jehudah, who said that, as a wooden spit is not burnt while the lamb is being roasted, so also an iron spit will not become sufficiently heated to cook the flesh adjoining it. He was told, however, that while a wooden spit only becomes heated locally, an iron spit when partially heated becomes so throughout.

"*The legs and entrails are placed inside,*" etc. We have learned in a Boraitha that R. Ishmael calls a lamb roasted in that wise a sizzling roast and R. Tarphon calls it a whole roast. The rabbis taught: What is called a roasted goat which must

not be eaten nowadays on the first night of Passover (outside of the Temple)? One that has been roasted whole; but if one of the members was detached or boiled and the remaining part roasted, it may be eaten, because then it is not considered a roasted goat. R. Shesheth said: "Even if a member was cooked (boiled) while still attached to the body of the goat and the remainder was roasted, it may also be eaten, and is not called a roasted goat."

Said Rabba: "If the lamb was stuffed with flour it may be eaten, even if it was not salted prior to being roasted." Rejoined Abayi: "Will not the filling absorb the blood in that event?" And Rabba replied: "Yea; but as soon as the roasting commences the blood recedes from the flour and is consumed by the fire."

Rabhin the Elder stuffed a dove with flour for Rabh, and the latter said: "If it is toothsome, give me a piece and I shall eat it."

We know, however, that, when Rabha was served with a stuffed duck at the house of Exilarch, he said: "If I did not see that the filling is as white as white glass I should not eat it." Now if it is a fact, as Rabba maintained, that during the roasting the blood recedes from the filling, why should Rabha have made that assertion—what difference does it make whether the filling was white or not? In this case the filling was made of coarser meal, which after absorbing the blood is not so easily purged thereof; hence it was necessary for Rabha to see whether the filling was white or not.

The Halakha in this case prevails as follows: "Where fine meal is used it makes no difference whether it had remained white or become red. If coarse meal was used it may be eaten only if it remained as white as white glass, while if any other kind of meal was used it may be eaten if it remains white, but not if it become red (or discolored). Even if a lamb (or goat) was roasted upside down (so that the blood could not escape through its mouth), it may also be eaten; but concerning half-roasted meat, the testicles of a ram, and the muscles of the neck of a lamb there is a difference of opinion between R. A'ha and Rabhina. [In all cases of law, where R. A'ha and Rabhina dispute, R. A'ha upholds the more rigorous decrees and Rabhina the more lenient, and the Halakha prevails according to Rabhina; but in the above three instances R. A'ha inclines towards the more lenient ordinance and Rabhina to the more rigorous, and

the Halakha prevails according to R. A'ha.] If half-roasted meat, which was dripping with blood, was subsequently salted it may even be boiled. If it was roasted on a spit it is also fit, but if it was roasted on live coals there is again a difference of opinion between R. A'ha and Rabhina. One maintains that it must not be used, because the blood remains in the meat, while the other holds that the blood escapes, and the meat is therefore fit to eat. The Halakha prevails according to the latter opinion.

The same case applies to the testicles of a ram. If they were cut up and salted, they may be cooked in a pot; and if they were roasted on a spit without being cut up and salted, they are still fit to eat, because the blood has been consumed by the fire; but if they were cooked over live coals, then is again the same difference of opinion between R. A'ha and Rabhina, and the Halakha prevails that they may be eaten.

Said Mar the son of Ameimar to R. Ashi: "My father would drink the juice of such meat." According to another version, R. Ashi himself would do this, and Mar the son of Ameimar said to him: "My father used to say that vinegar in which meat had been steeped once, must not be used for the same purpose again, because it is diluted." What about diluted vinegar itself, why may that be used? Vinegar, even if it be weak, still retains its original acidity, and stops the flow of blood in the meat, but vinegar which has been diluted by steeping meat therein has lost its acidity and cannot therefore be used.

"*The paschal sacrifice must not be roasted*, etc., *on a gridiron*," etc. Does R. Zadok relate this instance (in the Mishna) of Rabbon Gamaliel as a contradiction to the Mishna? The Mishna is not complete, and should read: "If the gridiron, however, is perforated, it may be used for that purpose, as R. Zadok related that Rabbon Gamaliel," etc. (*vide* Mishna).

The rabbis taught: If the paschal lamb was cut up and placed over coals. Said Rabbi: "I say, that this is equal to roasting it over a fire." Rabha contradicted this saying: How can it be said that Rabbi calls coals "fire"; have we not learned that the passage [Lev. xvi. 12]: "And he shall take a censer full of burning coals of fire," means, that coals which have already become dim must not be used, because it says "coals of fire," and that a flame of fire should not be used, because of the term "coals of fire"? And R. Shesheth explained: Thus we see that live coals are meant, and that a distinction is made between fire and live coals." How then can Rabbi hold that

even live coals are equal to fire? Said Rabha: Therefore, the statement of the rabbis must be explained thus: It is written "coals," and lest we assume that dim coals be meant, it is written "coals of fire." We might, however, assume that half coals and the other half fire should be brought, and by the time they are brought they will become coals entirely, hence it is said [ibid.] "coals of fire from off the altar," which signifies that when taken from the altar they should be coals already.

MISHNA: If any part of the roasted lamb had touched the earthenware oven on which it was roasted, that part must be pared off. If the fat dripping from the lamb had fallen on the oven and then had again fallen on the lamb, the part of the lamb touched must be cut out. If the dripping, however, fell on fine flour, a handful of that flour must be taken (and burned). If the paschal sacrifice had been anointed (basted) with consecrated oil of heave-offering and the company appointed to partake thereof consist of priests, they are allowed to eat it; but if the company consist of Israelites, they must wash it off the lamb if yet raw. Should the lamb have been already roasted, they must pare off the outward skin. If it had been anointed with oil of second tithe, its value must not be charged to the company in money, because it is not lawful to redeem and sell it in Jerusalem.*

GEMARA: It was taught: All agree, that if warm (meat) fall into warm (milk) both are rendered prohibited (for use). Cold (meat) in cold (milk), all agree, is *not* rendered prohibited; but if warm (meat) fell into cold (milk) or cold (milk) fell on warm (meat), Rabh said that the thing falling on top supersedes that on the bottom, and hence both may be used or are prohibited as the case may be; but Samuel said, on the contrary, that the thing on the bottom virtually absorbs that on top. An objection was made, based upon the Mishna: "If the fat dripping from the lamb had fallen on the oven, etc., the part of the lamb touched must be cut out." At the first glance, it might be assumed that the oven in question was cold. This would be correct according to Rabh, who holds that the thing falling on top supersedes that originally at the bottom; and thus the oven, becoming in turn hot, causes the fat to boil. When the fat again falls on the lamb, the latter becomes roasted by the heat of the oven; and as the passage states that it should be roasted

* Where alone the paschal sacrifice may be brought and eaten.

by fire only, the part of the lamb touched must therefore be cut out. But according to Samuel, who holds that a thing originally on bottom absorbs that falling on top, when the fat touches the oven, the fat becomes cold; consequently, when it again falls on the lamb, the lamb is not affected. Therefore, why should the part touched be cut out? Nay; the Mishna refers to a hot oven. (The same objection was made also to the latter part of the Mishna, which refers to the fat dripping on the flour, and the answer is similar.)

We have learned in a Boraitha in support of Samuel's contention, viz.: Warm falling on warm renders both prohibited. Cold falling on warm does likewise. Warm (meat) falling into cold (milk), it is only necessary to pare off the outer skin of the meat and it may be used. If cold (meat) had fallen into cold (milk), it need only be rinsed.

We have learned in another Boraitha: (Smoking) hot meat falling into (boiling) hot milk renders both prohibited. Cold (meat) in hot milk does likewise. If hot (meat) fall into cold milk, its outer skin must be pared off. Cold (meat) falling into cold (milk) need only be rinsed.

Rabh said: "(Ritually) slaughtered fat meat, if roasted together with lean meat of carrion, must not be eaten, because one draws the juice of the other." Levi, however, said: "Even slaughtered lean meat roasted together with fat meat of carrion may be eaten, because it only draws the odor of the fat meat, and that does not interfere with it."

Levi acted in accordance with his decision in the house of the Exilarch, where a goat and a sucking pig were roasted together.

An objection was made: We have learned that two paschal offerings must not be roasted together, lest they become mixed. Must we not assume that the reason is, that the taste of one will be affected by the other, and thus contradict Levi's opinion? Nay; the reason is, that there is fear of the offerings themselves becoming mixed so that their respective owners will not be able to distinguish them. This view seems to be the correct one, because it is taught further that even a lamb and a goat must not be roasted together (if they were paschal offerings), and if the reason therefor is that there is fear lest the offerings become mixed, the teaching is correct and is merely a precaution against roasting two lambs or two goats together. If, however, the reason were to prevent the taste of either being affected by the other, what difference would it make whether

a lamb and a goat, or two of either species, be roasted together?

Shall we say, that this is also a contradiction to Rabh's opinion? Said R. Jeremiah: "The case concerning the two paschal offerings which were roasted together refers to an instance of where they were roasted apparently in separate vessels, *i.e.*, over two fires which were separated by a heap of coals, and we should learn thus: Two paschal offerings must not be roasted together on account of one affecting the taste of the other; nor should they be roasted together even when separated as mentioned, for fear of mixing them so that their owners will not be able to distinguish them, even if the two offerings consisted of a lamb and a goat."

R. Kahana the son of R. Hinana the Elder taught: "If bread was baked and meat was roasted in one oven, the bread must not be eaten with Kutach."

It happened that fish was broiled together with meat, and Rabha of the city of Parziqaia prohibited it to be eaten with Kutach. Mar the son of R. Ashi, however, said: "It should not even be eaten with salt, because it produces a bad odor and is the cause of sores."

MISHNA: Five kinds of sacrifices may be brought, even if those who offer them should be in a state of ritual uncleanness; but they should not be eaten by those who offer them while in that condition. They are: The "Omer" (sheaf-offering), the two loaves (of Pentecost), the showbreads (of the Sabbath), the peace-offerings of the congregation, and the he-goats offered on the Feast of the New Moon; the paschal offerings, however, which were sacrificed by men in a state of ritual uncleanness, might also be eaten by them, though they (the men) still be in that condition, because the main object of the commandment concerning the paschal offering was that it should be eaten.

GEMARA: The Mishna mentions five sacrifices; which does it intend to exclude? It means to exclude the festal offering brought on the festival itself (15th of Nissan); for it might be assumed that this offering being a congregational sacrifice and also being one which was appointed for a certain time, it should also be eaten even by a man in a (ritually) unclean state; hence we are taught that, as the festival may be extended over seven days, and in consequence does not supersede the due observance of the Sabbath, it does not also supersede the law of uncleanness.

Why does the Mishna not enumerate also the he-goat brought as a sin-offering on every festival? It *does* enumerate it, by including it in the peace-offerings of the congregation. Why, then, is the he-goat offered on the Feast of the New Moon enumerated separately? Let that also be included in the congregational offerings! Special mention must be made of the latter, because it might be assumed that the Feast of the New Moon is not a festival, and as a consequence the offering of that day does not supersede the law of uncleanness. Hence we are taught, that the Feast of the New Moon is also a festival and the he-goat sacrifice does supersede the laws of uncleanness.

Whence do we adduce the several teachings of the Mishna? From the following: The rabbis taught: It is written [Levit. xxiii. 44]: "And Moses declared the feasts of the Lord unto the children of Israel." For what purpose is this written? Because the entire chapter [ibid. xxiii.] deals with the paschal offering and the continual daily offerings, concerning which it states "at their appointed seasons," signifying, that they supersede both the observance of the Sabbath and the laws of uncleanness; but whence do we know that the same rule applies to other congregational sacrifices? To that end, it is written [Numb. xxix. 39]: "These shall ye prepare unto the Lord on your appointed festivals." Whence do we adduce, however, that the Omer (sheaf-offering) and the showbreads, together with their adjuncts, are also included in the rule? The above passage: "Moses declared the feast of the Lord," etc., implies, that Moses appointed a fixed time for all festivals and made them all equal.

From the above adductions the schoolmen reasoned, that all agree upon the fact that the law of uncleanness had only been temporarily set aside for congregational purposes, but not that it had been abrogated entirely, and also that the plate worn by the high-priest (through which he atoned for the sins of the community)* was brought in requisition to atone for the transgression of the law regarding uncleanness; for there cannot be found one Tana who holds that the said law was abrogated entirely, with the exception of R. Jehudah. They also assumed, that the plate of the high-priest atoned for the sacrifice of an unclean thing, but not for the transgression committed by eating an unclean thing; for there cannot be found one Tana who

* *Vide* Levit. xxviii. 38.

holds that the plate can atone for sins committed through eating, excepting R. Eliezer.

Shall we assume, therefore, that our Mishna is not in accordance with R. Jehoshua, as we have learned in a Boraitha: It is written [Deut. xii. 27]: "And thou shalt offer thy burnt offerings, the flesh and the blood," etc. Said R. Jehoshua: "If there is no flesh there is no blood, and if there is no blood there is no flesh" (meaning, if one or the other had become unclean or was lost, the remaining thing is useless). Thus, if it be true that the plate of the high-priest does not atone for sins committed through eating, will it not be evident that even the paschal sacrifice must *not* be brought in a state of uncleanness, because it must not be eaten? The Mishna may be even in accordance with R. Jehoshua, who maintains further on that, though there be only sacrificial fat of the size of an olive left on the altar, the blood of that sacrifice may be sprinkled, and also that the plate of the high-priest atones for the offerings, parts of which are brought on the altar and which were offered in an unclean state. This would only apply, however, to those offerings of which certain parts were brought on the altar; how will it be in the case of the Omer and the showbreads, no parts of which are ever brought on the altar? Therefore we must assume the following: The Mishna *is* in accordance with R. Jehoshua, but his prohibitory decision applies only to the performance of acts to commence with. If, however, the deed was accomplished, R. Jehoshua also admits that the act is valid. Whence do we adduce that R. Jehoshua holds to the distinction between the performance of an act to commence with and one already accomplished? From the following Boraitha: "If flesh had become unclean or it became unfit for use by virtue of its having come in contact with a man who had bathed, but upon whom the sun had not yet set, or it had become unfit for use by protruding from its proper receptacle, R. Eliezer holds that the blood thereof may be sprinkled, but R. Jehoshua maintains that it must not. The latter admits, however, that if the sprinkling had already been accomplished it is atoned for."

Our Mishna, however, deals with the performance of acts to commence with, because it distinctly states: "Five kinds of sacrifices may be brought"? Therefore we must render another explanation; namely, R. Jehoshua applies his decision only to the cases of individuals, but where congregational purposes are concerned, he interposes no impediment.

Shall we assume that the Mishna is not in accordance with the opinion of R. Jose of the following Boraitha? "R. Eliezer maintains that the plate of the high-priest atones also for sins committed through eating, but R. Jose holds that it does not." If R. Jose does not admit of this supposition, at a casual glance we might think that he is in accord with R. Jehoshua, who declares, that both the flesh and blood are required, and if R. Jose positively asserts that the sins committed through eating are not atoned for, we must presume that the Mishna is not in conformity with his opinion! Nay; in this respect R. Jose agrees with R. Eliezer, that blood may be sprinkled even if the flesh be not there.

R. Mari opposed this: If we admit that R. Jose agrees with R. Eliezer, it would be perfectly proper in the case of the sacrifices, for the blood thereof is offered up on the altar in the case of the Omer because a handful is taken therefrom in the case of the showbreads because the incense brought with it is offered up; but what about the two loaves (of Pentecost), of which nothing at all is taken off? If you say that the two loaves themselves are not meant, but the sacrifices brought with them, then there will be only four kinds, and the Mishna states that there are five? Hence the most reasonable supposition is, that the Mishna is not in accordance with R. Jose.

MISHNA: If the flesh of the paschal sacrifice has become (ritually) defiled and the fat thereof remains undefiled, its blood must not be sprinkled on the altar; but if the fat has become defiled and the flesh remains undefiled, the blood may be sprinkled; but such is not the case with respect to other consecrated sacrifices (under similar circumstances); for even if the flesh of such has become defiled but the fat has remained undefiled, their blood may be sprinkled.

GEMARA: R. Giddel said in the name of Rabh: What is the case if the blood *has* been sprinkled? In that event the duty has nevertheless been fufilled. Is it not obligatory, however, to eat the paschal sacrifice, and in this case it must not be eaten? Rabh holds with R. Nathan, who states that the fact of its not having been eaten proves no impediment to the lawful accomplishment of the duty *to sacrifice* the paschal offering, as we have learned in a Boraitha, viz.: If one company had been appointed to eat the paschal sacrifice and subsequently another company had been added thereto, if there was sufficient for the first company, so that each member thereof ate as his share the

size of an olive, this company has fulfilled the duty and need not celebrate a second Passover. If there was not sufficient remaining, so that the members of the second company could each eat a piece the size of an olive, they must celebrate a second Passover. R. Nathan, however, said: "Even the second company need not make a second Passover, because the blood of the sacrifice had already been sprinkled." Perhaps the reason for R. Nathan's dictum is, that had the first company withdrawn there would have been sufficient for the second each to eat a piece the size of an olive; hence the supposition that such *was* the case renders the sacrifice valid for both, but not because the fact of its not being eaten proves no impediment? If the former reason were the acceptable one, the Boraitha should have stated the supposition, but the fact that it says, "because the blood of the sacrifice had already been sprinkled," is conclusive proof that the sprinkling of the blood is the main object of the commandment.

What impels Rabh to construct the Mishna according to R. Nathan, and expound it in the sense that the blood must not be sprinkled to commence with, but that, if this was done, the act does not invalidate the sacrifice? Let him explain it according to the sages, who hold that the blood must not be sprinkled, and that if this was done it invalidates the sacrifice!

Rabh could not understand the Mishna, and he argued: Why should the Mishna state that the blood must not be sprinkled? because while this should not be done to commence with, if it was done it is a valid act; for otherwise the Mishna could have plainly said, "the sacrifice is not valid."

According to which Tana is the following teaching of the rabbis: "If a man who was appointed to eat of the paschal offering was ill at the time the sacrifice was about to be slaughtered and had recovered when the blood was about to be sprinkled, or was well when it was about to be slaughtered and became ill when the blood was about to be sprinkled, the sacrifice must not be slaughtered nor the blood sprinkled unless that man was well from the time of slaughter until the sprinkling of the blood"? Shall we say, that this is in accordance with the sages and not with R. Nathan? Nay; it may be even in accordance with R. Nathan; for while maintaining that not eating the sacrifice proves no impediment, he nevertheless admits that at the time when the sacrifice is slaughtered and the blood sprinkled the man must be in a condition to partake thereof.

According to which Tana is the following teaching of the rabbis: "If at the time the sacrifice was slaughtered the participants thereof were still undefiled and subsequently became defiled, the blood may be sprinkled as if for undefiled participants but the sacrifice must not be eaten." Said R. Elazar: "This teaching is in accordance with the disputants and appears to be according to R. Nathan." R. Johanan, however, said: The teaching may be in accord with the sages, but in that event it treats of the whole community and not of an individual, and we have learned that a community may sacrifice the paschal offering even if all the members thereof were defiled. Then why is the sacrifice not allowed to be eaten? As a precautionary measure, lest at the next Passover they become unclean after the sprinkling and nevertheless claim that they are allowed to partake of the sacrifice because they were also unclean on the last Passover, forgetting, however, that they were already defiled before the sprinkling but did not become so afterwards.

If you wish, I can tell you that Rabh holds with R. Jehoshua, as we have learned in the following Boraitha: R. Jehoshua said: "All the sacrifices mentioned in the Scriptures, whether the flesh had become defiled and the fat remained clean, or the reverse was the case, the blood thereof must nevertheless be sprinkled. But of Nazarite offerings or the paschal sacrifice, if the fat became defiled and the flesh remained clean, the blood may be sprinkled; but if the reverse was the case, the blood may not be sprinkled. If this was done, however, the duty is accomplished. If the owners of the sacrifice, however, have become polluted through a corpse, even if the blood had already been sprinkled, the sacrifice is not valid."

"*Such is not the case with respect to other consecrated sacrifices,*" etc. This clause of the Mishna will be in accordance with the opinion of R. Jehoshua, as taught in the following Boraitha: R. Jehoshua said: Of all sacrifices mentioned in the Scriptures, if a piece the size of an olive had remained, the blood may be sprinkled; but if a piece the size of half an olive had been left over, the blood may not be sprinkled, except in the case of a burnt- (whole) offering, where, should even a piece the size of half an olive be left over, the blood may also be sprinkled, because the whole sacrifice is offered up on the altar. In the case of a meat-offering which was still intact, if it had become defiled the blood must not be sprinkled. What has a meat-offering to do with the sprinkling of the blood? Said R.

Papa: By this is meant the meat-offering brought with every sacrifice, and lest we assume that even if but a piece thereof the size of an olive remain, the blood of the sacrifice may be sprinkled, we are taught that even if it had remained intact it does not legalize the sprinkling of the blood.

MISHNA: If the whole or the greater part of the congregation had become defiled, or the priests were in a state of defilement but the congregation was undefiled, the sacrifice may be brought in this state of defilement; but if the minority only of the congregation had become defiled, the majority that are clean shall sacrifice the paschal offering at its proper time and the unclean (minority) shall sacrifice a second paschal offering on the 14th of the following month.

GEMARA: The rabbis taught: If the congregation was defiled but the priests and the utensils necessary for the service were clean, or the reverse was the case; or, moreover, if the congregation *and* the priests were clean and the utensils alone were unclean, the sacrifice must nevertheless be brought in that state of defilement. Why so? Because a congregational sacrifice must not be divided; *i.e.*, even if there were some men among the congregation who happened to be undefiled, they must also participate in the sacrifice.

It was taught: If the congregation was equally divided—one half being unclean and the other half clean—Rabh said that a half is equal to a majority, and one half should bring the sacrifice in its state of defilement, while the other half should bring it in its proper condition. R. Kahana, however, said that a half does not constitute a majority, and hence the half which is clean should bring the sacrifice at the customary time, while the other half should bring it at the second Passover (one month later). According to another version, R. Kahana is supposed to have said: "The half does not constitute a majority, therefore the undefiled half should bring the sacrifice at its usual time; but the unclean half should not bring it at all; because, in the first place they were defiled, and on the second occasion they, not being a majority, cannot observe a second Passover."

We have learned one Boraitha in support of Rabh's opinion: "If the congregation was equally divided, one half being unclean and the other clean, each half should bring a separate paschal offering." We have also learned a Boraitha supporting the first version of R. Kahana's dictum, as follows: "If a congregation was equally divided between unclean and clean members, the

latter should bring their sacrifice at its usual time and the former at the second Passover" ; and also a Boraitha supporting the second version of R. Kahana's opinion: "If a congregation was equally divided between clean and unclean members, the former bring their sacrifice at the usual time and the latter need not bring it at all."

The text of the Boraitha states: "If the congregation was equally divided, one half being clean and the other unclean, each half should bring a separate paschal offering," and continues: "if there was one majority in the unclean half, the sacrifice must be brought in the state of pollution, because a congregational sacrifice cannot be divided." R. Elazar ben Mathia, however, says, that a single person cannot determine the uncleanness of an entire community, because it is written [Deut. xvi. 5]: "Thou mayest not slay the Passover within any of thy gates" (which signifies, that a single person cannot influence a congregation). R. Simeon, however, said: "Even if one tribe was unclean and the remaining eleven tribes (of Israel) were clean, the one unclean tribe must bring a separate sacrifice." The reason why R. Simeon maintains this, is because he considers each tribe a separate congregation; but R. Jehudah said: "Even if only one tribe was unclean, all the remaining tribes must bring their sacrifices in a state of defilement." Why so? Because he also holds that each tribe constitutes a congregation, and so the entire community is thus equally divided between unclean and clean; and as a communal sacrifice must not be divided, they must all join in bringing it in a state of defilement.

It was taught: "If the congregation was equally divided, one half being clean and the other unclean, Rabh says that one member of the clean half should be defiled by contact with a dead reptile, and thus the entire congregation can bring the sacrifice in a state of defilement." Why should this be done? Did not Rabh state previously that they should each bring separate sacrifices? In this case there was already a majority of one in the unclean half. If that is so, then there was already a majority; why make another man unclean? Rabh holds with R. Elazar ben Mathia, that one person cannot determine the uncleanness of a congregation. If Rabh holds with R. Elazar, then the same question arises, why should not each half bring a separate sacrifice? Rabh means to say as follows: If there is a Tana who holds with the first Tana of the Boraitha, to the effect that each half must bring a separate sacrifice, and at the same

time holds with R. Jehudah, namely, that a communal sacrifice must not be divided and in consequence is in doubt how to proceed, he should make another man unclean and thus constitute an unquestionable majority.

Ula, however, said: "A member of the clean half should first be sent on a long journey, and then be defiled by contact with a dead reptile," because he holds that a man who had become unclean through a reptile may nevertheless have the sacrifice brought for him; but if he was away on a journey and there becomes unclean, the sacrifice cannot be brought for him.* Why not defile the man by means of a corpse? If this is done, he will be robbed of his right to bring even his festival offering. And, on the other hand, is he not deprived of his right to bring the paschal offering? Yea; but he has the privilege of bringing the Passover sacrifice on the second Passover. Then, if defiled by a corpse, he will be enabled to bring his festal offering on the seventh day of Passover, which will be the eighth since his becoming defiled! Ula holds that the extension of the festal offering throughout the seven days applies only to one who was capable of bringing it on the first day, but not if he was legally incapacitated to do so on the first day.

Said R. Na'hman: "Go to Ula and say to him: Is it reasonable that a man should be asked to strike his tent and leave everything behind him in disorder in order to undertake a long journey on the eve of Passover? Therefore, I say that Rabh's proposition to defile him with a dead reptile is sufficient."

MISHNA: If, after the blood of the paschal sacrifice had been sprinkled on the altar, it became known that it (the blood or the flesh thereof) was unclean, the plate of gold (of the high-priest) atones for the sin; but if the body (of the owner) of the sacrifice had been defiled, the plate of the high-priest does not atone for the sin; for it is a rule that the plate atones for (the sin of sacrificing) the paschal offering and that of the Nazarite, if the blood of these had become defiled; but not if the body (of the owner) of such sacrifice had become unclean. It does, on the other hand, atone for the defilement caused by an abyss or by the ground.†

GEMARA: From the Mishna we learn, that the plate atones for the sin if it had become known that the blood or

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* *Vide* Numbers ix. 10.

† By this term is meant defilement caused by passing over an abyss or ground where it is supposed that a corpse was situated, without being aware of the fact.

flesh was unclean, *after* the sprinkling; hence we must assume that if this was known *before* the sprinkling and the blood had been sprinkled nevertheless, the plate does not atone for the sin, and would this not be contradictory to the following Boraitha: "For what things does the plate atone? For blood, flesh, and fat which was rendered unclean either intentionally or inadvertently, whether this was brought about by accident or voluntarily, whether the sacrifice be that of an individual or of a congregation"?

Said Rabhina: "If the sacrifice was rendered unclean either intentionally or inadvertently, the plate atones for the sin (of sacrificing in such a state); but as for sprinkling, it atones only for unintentional sprinkling (*i.e.*, if the man had forgotten that the sacrifice was unclean) but not for intentional sprinkling." R. Shila, however, said: "(On the contrary!) As for sprinkling, whether done intentionally or unintentionally, the plate atones for the sin; but if the sacrifice became unclean, if it was rendered so inadvertently the plate atones for the sin, but if rendered so intentionally it does not, and thus should the Boraitha also be explained; but as regards the statement in the Mishna that, if the fact of the sacrifice being unclean had become known, *after* the sprinkling of the blood, the plate atones for it, thus showing that if the sprinkling was done knowingly the plate does not atone for it, it is not correct, for the plate atones for the sprinkling even if done knowingly, and the reason the statement is made is because in the latter clause of the Mishna it must be taught that even if the blood had been sprinkled without the knowledge of the fact that the owners of the sacrifice were unclean, still the plate does not atone for the sin; therefore an analogous teaching is made also in the first clause."

"*It does on the other hand atone for the defilement caused by an abyss,*" etc. Rama bar Hama propounded a question: "Does the plate atone also for a priest who had contracted (doubtful) uncleanness through an abyss, or does this only apply to the owner of the sacrifice? Shall we assume, that the tradition to the effect that the plate atones for such doubtful uncleanness applies *only* to the owners of the sacrifice, or that it applies to the sacrifice itself and hence also to either owner or priest?"

Said Rabha: "Come and hear! R. Hyya taught: 'The law regarding doubtful uncleanness caused by an abyss treats *only* of uncleanness by means of a corpse.' What does he mean to exclude by using the word "only"? Doubtless a reptile. Now

let us see who can be affected by contact with a reptile: If we should say the owner of the sacrifice, which owner does he refer to? Shall we assume that the owner was a Nazarite? then uncleanness through contact with a reptile does not change the legal status of a Nazarite, as it is written [Numb. vi. 9]: "And if *some one die* very suddenly" (but not a reptile). Then we must assume that the owner of a paschal offering is referred to. This would be correct, according to the Tana who maintains that for an owner defiled through a reptile a paschal offering may neither be slaughtered nor the blood thereof sprinkled; but according to the other Tana, who holds that such a condition of the owner does not interfere with the slaughtering of the paschal offering or the sprinkling of its blood, what would R. Hyya come to teach us?—If the slaughtering and sprinkling are permitted for an owner unquestionably defiled through contact with a reptile, it is certainly permitted for one whose defilement through an abyss was not of a doubtful nature. Hence we must assume that even a priest is referred to, and thus the plate of the high-priest atones also for a priest who was supposed to have become unclean by passing over an abyss probably harboring a corpse.

R. Joseph propounded a question: "If there was doubt concerning the undefiled state of a priest who had passed over an abyss probably harboring a corpse, and was engaged in bringing the continual daily offering, does the plate atone for him also, or not? If you should even say that he was atoned for when bringing other sacrifices, *f.i.*, as just mentioned in the case of a priest who sacrificed the paschal offering, the question concerning one engaged on the continual daily offering still remains; for while we have a tradition to the effect that the plate of the high-priest atones for a priest in the mentioned condition who had sacrificed a paschal offering, we have none affecting the case of a priest bringing the continual daily offering while in a state of doubtful defilement; or, on the other hand, from the fact that we have no tradition to that effect, should we draw the inference from the instance of the paschal offering?"

Said Rabba: "(This is not only an inference); it is an *a fortiori* conclusion! If in the case of other sacrifices, as the Nazarite offerings, the paschal offerings, etc., where positive uncleanness would interfere with the validity of the sacrifice, a doubtful case was *not* held to prove an impediment, then certainly in the case of the continual daily offering, which must be brought even if all concerned are in a positive state of defilement,

it should so much the more be valid in a case of doubtful defilement." Is it possible, then, to draw an *a fortiori* conclusion from a tradition? Did we not learn in a Boraitha: "Said to him R. Eliezer: Aqiba! That a bone of a corpse of the size of a barley-corn, when brought in contact with a man, defiles him, is a tradition, and thou wouldst draw therefrom the *a fortiori* conclusion that a quarter of a lug of blood would so much the more be a means of defilement. An *a fortiori* conclusion must not be derived from a tradition!"

"Therefore," said Rabh, "the case of the continual daily offering is not derived from the paschal offering by means of an *a fortiori* conclusion, but by means of a comparison by analogy, namely: As concerning both sacrifices it is written, 'at their appointed seasons,' the same rules apply to both."

Where do we find it written in general concerning the doubtful state of defilement caused by passing over an abyss probably harboring a corpse? It has already been stated that this is merely a tradition, and is not particularly specified at any place.

It was taught: Mar bar R. Ashi said: Do not learn in the Mishna, "only if it became known after the sprinkling that the blood was defiled the plate of the high-priest atones for the sin committed, if previously known, however, it does not"; but "even if it was also known previously, the plate atones for it."

MISHNA: If the whole or the greater part of the paschal offering had become defiled, it should be burned before the sanctuary with wood used for the altar; if the lesser part thereof had become unclean, or if some part thereof had remained over until the next morning (on the 15th), the owners may burn it in their own courts, or on their roofs, with their own wood. Avaricious persons, however, would burn it before the sanctuary, in order to get the benefit of the wood used for the altar.

GEMARA: Why was the burning done in so public a manner? Said R. Jose bar R. Hanina: In order to put to shame the owners of the sacrifice for their negligence in permitting the paschal offering to become defiled.

"*If the lesser part thereof*," etc. Is this not contradictory to what we have learned in a previous Mishna, namely: "If a person on leaving Jerusalem remembers having consecrated flesh with him (even if it be only the size of an olive) he must return and burn it before the sanctuary with wood of the altar"? Said R. Hama bar Uqba: "This presents no difficulty: The Mishna mentioned treats of a visitor to Jerusalem, who had no

wood of his own, while our Mishna treats of a permanent resident of Jerusalem."

The rabbis taught: "If the people came to burn (the unclean offering or the remainder) before the sanctuary with their own wood or desired to burn it in their own homes with wood of the altar, they must be prevented from accomplishing such an act." It is perfectly proper to prevent their burning it in their own homes with wood of the altar, lest some of the wood be left over and they use it for profane purposes; but why should they not be permitted to burn it before the sanctuary with their own wood? Said R. Joseph: "In order not to disgrace those who have no wood of their own," and Rabha said: "In order not to cast suspicion upon them; for if they have some of their own wood left over and carry it back with them they might be suspected of appropriating the wood of the altar." Wherein do these two sages differ? In a case where the wood brought was not like that used for the altar; for instance, the bark of date-trees or small sticks. (According to R. Joseph, not even such wood may be brought, while according to Rabha this would be permissible.)

MISHNA: If a slaughtered Passover-sacrifice had been carried beyond the walls of Jerusalem or had become defiled, it must be immediately burned (on the eve of Passover). If the owners thereof had become defiled or had died, it must be left until its condition is changed (*i.e.*, it must be left over until the next morning), and should be burned on the 16th of Nissan *). R. Johanan ben Broka said: (In the latter event) it should also be immediately burned, because there are none to eat it.

GEMARA: If the Passover-sacrifice had become defiled it is perfectly proper to burn it, because it is expressly written [Levit. vii. 19]: "And the flesh that toucheth any unclean thing shall not be eaten, with fire shall it be burnt"; but whence do we know that if it had been carried beyond the walls of Jerusalem it must also be burned? Because it is written [ibid. x. 18]: "Behold, its blood was not brought within the holy place"; and thence we infer that, as it was not brought within the holy place, it must be burnt. Still, concerning a defiled paschal offering, it would be right to burn it, because the passage states that *ordinary* holy sacrifices which had become unclean must be burnt, but concerning the offering carried beyond the walls of Jerusalem

* Because it is not allowed to burn a consecrated thing on the festival day proper, and the 16th is already one of the intermediate days of Passover.

the passage quoted [ibid. x. 18] refers only to *most* holy sacrifices, and whence do we know that it applies also to *ordinary* holy offerings? Aside from this, we have learned in a Boraitha: "If the blood of the sacrifice had become spilled, or the flesh had remained within, but the blood had escaped beyond the walls of Jerusalem, the sacrifice must be burnt." Whence do we learn this? The law concerning everything which becomes subject to burning with fire, whether it be ordinarily holy or most holy, is derived from a tradition, and as for the passage mentioning the sin-offering of Aaron, it is merely quoted because such happened to be the case. Now then, if the entire law ordaining that, whether the sacrifices be ordinarily holy or most holy, they must in the event of their becoming unclean be burnt with fire, is derived merely from a tradition, for what purpose is it written [Levit. vi. 23]: "It shall be burnt with fire"? That passage is necessary, in order to impart to us the information that it must be burnt in the holy place; for from the tradition alone we might presume that this could be done elsewhere, and hence the necessity for the passage. In that event, to what end is it written [ibid. vii. 19]: "And the flesh that toucheth any unclean thing shall not be eaten, with fire shall it be burnt"? That passage is needed for its own particular purpose; for we might presume that the tradition making it obligatory to burn the invalid sacrifices applies only to those in respect to which, were they ordinary (non-consecrated) articles, the exigency could not possibly arise. For instance, if the blood had remained over night, or the blood had been spilled, or had escaped beyond the walls (of Jerusalem), or if the sacrifice had been slaughtered at night (which is not permissible); but if the sacrifice had become unclean, which state can also prevail in the case of ordinary articles, it might be assumed that it is not necessary to burn it, but that it may even be buried; therefore we find it written as above [Levit. vii. 19].

"*If the owners thereof had become defiled or had died,*" etc. Said R. Joseph: Wherein do they (the sages and R. Johanan ben Broka) differ? Only if the owners had become defiled prior to the sprinkling of the blood; because, as the flesh was not yet (legally) suitable for the duty of eating thereof at the time, the uncleanness is considered to be in the sacrifice itself; but if the owners had become defiled after the sprinkling, in which event the flesh was already suitable for eating, all agree that the invalidity was not occasioned by the sacrifice itself but by some out-

side means, and for that reason it should be left until its condition is changed (*i.e.*, it should be left over night). R. Johanan, however, said, that even after the sprinkling the same is the case, and this he states in accordance with his individual theory; for both R. Johanan ben Broka and R. Nehemiah said one and the same thing (namely, that when the owners became defiled, the sacrifice should be immediately burned). Rabba added to this, that R. Jose the Galilean made the same statement.*

MISHNA: The bones, sinews, and other remaining parts must be burned on the 16th; and should that day fall on a Sabbath, they must be burned on the 17th, because the burning of these does not supersede the laws of the Sabbath or those of the festival.

GEMARA: R. Mari bar Abbahu in the name of R. Itz'hak said: The bones, still retaining marrow, of consecrated sacrifices, if left over as remainder, defile the hands touching them. Why so? Because they are a basis to a prohibited article (*i.e.*, the marrow which was left over and should be burned).

An objection was raised: (We have learned:) The bones left over from consecrated sacrifices are not subject to being burned, excepting only the bones of the paschal offering; (because they must not be broken but left in their original condition and) it might happen that some of the flesh should cling to them. Now, let us see what kind of bones are meant! Shall we assume such as have not retained the marrow? Who would hold that such should be burned? Hence such as still retain the marrow must be meant. In that event, if the bones are considered a basis to a prohibited article, *i.e.*, they serve the marrow as receptacles, why should they not be burnt?

Said R. Na'hman bar Itz'hak: "Bones which had been found broken and the marrow extracted are referred to; thus the bones of other sacrifices, which may be broken, may have been broken and the marrow extracted from them before they had had an opportunity of becoming a remainder of a sacrifice; hence they need not be burnt. The bones of a paschal offering, however, which must remain whole, could have been broken and had the marrow extracted from them only *after* becoming a remainder, and for that reason they must be burnt."

R. Jehudah said in the name of Rabh: "All sinews are considered of flesh except the sinews of the neck (*i.e.*, if one ate

* Rabba supports his dictum on the strength of a Boraitha, which will be brought forward in Zeba'him.

only the nerves of the flesh of the paschal offering, it is the same as if he had eaten the flesh itself)."

An objection was made based upon our Mishna, which teaches "that bones, nerves, and other remaining parts must be burned on the 16th." Now, let us see what sinews are referred to? If the sinews of the body in general are meant, why not eat them; and if it is claimed that they were left over, why mention them separately—are they not the same as the other remaining parts? Therefore we must say, that the sinews of the neck are meant. If that be the case and, according to Rabh, they are not considered as flesh, why should they be burned? Said R. Hisda: "By the sinews which must be burned, is meant the sinew of the thigh (which is not eaten), and, according to R. Jehudah's opinion that only the sinew of one of the thighs is prohibited to be eaten, the sinew of the other is a legal remainder and should be burned." R. Ashi said: "The Boraitha means to state, that not the sinew proper, but only the fat thereof on account of which the sinew is burned with it, is referred to, as we have learned in another Boraitha, that the fat of the sinew of the thigh may be eaten but it is not customary to do so (as will be explained in Tract Cholin)," and Rabhina said: "The sinew which must be burned is the one on the outside, which, while it is permitted to eat it, is not generally eaten by Israelites (as will also be explained in Tract Cholin)."

"*If that day* (*the* 16*th*) *should fall on a Sabbath,*" etc. Why should this be so? Why should not the positive commandment (to burn the remainder) supersede the negative commandment (not to violate the Sabbath)? Said Hezkiyah, and so also the disciples of Hezkiyah: It is written [Exod. xii. x]: "And ye shall not let anything of it remain until morning; and that which remaineth of it until morning ye shall burn with fire." Why is "until morning" mentioned a second time? In order to afford a man a second morning on which to burn the remainder (*i.e.*, if the 16th fell on a Sabbath, to give the man until the 17th).

Abayi, however, said: (It may be inferred from another passage.) It is written [Num. xxviii. 10]: "This is the burnt-offering of the Sabbath on every 'Sabbath,'" *i.e.*, that only an offering of Sabbath may be burned on Sabbath, but not an offering of a week-day should be burnt on a Sabbath or on a festival day.

Rabha said: (It may be inferred from the following passage)

[Exod. xii. 16]: "Save what is eaten by every man, that only may be prepared by you"; *that only*, and not a circumcision, which is not in proper time, and which is learned from an *a fortiori* conclusion.

R. Ashi said: "The rest concerning a festival which is mentioned [Lev. xxiii. 24] makes it a positive commandment, which states that no labor shall be done on a festival, so a festival has two commandments, a positive and a negative one; and to burn the remainder is only one commandment, which does not supersede the above two commandments."

MISHNA: Every part usually eaten of a full-grown ox may be eaten of the paschal kid or lamb, such as the cartilage and tendons over the joints.

GEMARA: Rabba found a contradiction in this Mishna, namely: "It is stated that every part usually eaten of a full-grown ox may be eaten of the paschal kid or lamb, and then exemplifies the statement by mentioning the cartilage and tendons over the joints, and is it not a fact that these latter parts of an ox are not eaten?" Said Rabha: "The Mishna means to imply that all parts of an ox eaten boiled may be eaten of the paschal kid or lamb roasted, and what are those parts referred to? the cartilage and tendons over the joints." We have also learned the same teaching as Rabha's in a Boraitha, with the addition, "that the small sinews of the body are also included."

It was taught: "Sinews, which are at first soft and later on become hard," said R. Johanan, "may be selected by one of the men appointed to eat of the paschal sacrifice for his share, because at the time of selection they were soft and eatable"; but Resh Lakish said, "that they must not be selected, because they eventually become hard and are thus at no time edible."

Resh Lakish made an objection to the statement of R. Johanan, based upon our Mishna, which states that the cartilage and tendons only may be eaten: "Hence the small sinews are not to be included." R. Johanan replied: Learn, that the parts mentioned and also the small sinews may be eaten; from the fact that they are eaten in a boiled state of the ox, the same cause applies also to the kid or lamb.

R. Jeremiah said to R. Abin: "When thou wilt come to R. Abbahu, propound the following contradictory question to him: Can, then, R. Johanan assert, that the small sinews may be selected as a share of the paschal sacrifice? Did not Resh Lakish ask R. Johanan whether the skin of a young calf's head

is subject to defilement, and the latter answered that (on account of such a skin eventually becoming hard) it is not subject to defilement (as is the case with hide); (hence should we not assume that R. Johanan did so because he took into consideration its final condition—then why should he not also consider the future condition of the sinews, which eventually become hard and inedible)?" (R. Abbahu replied): "The man who evolved this contradictory question did not watch the meal he had ground (*i.e.*, he did not consider the correctness of his deductions); for we have learned that at the same time when Resh Lakish showed R. Johanan a Mishna which refuted the answer rendered, R. Johanan replied: 'Anger me not! The Mishna thou citest I attribute to an individual opinion, that I myself do not uphold' (whence we see that he retracted his assertion to the effect that the future condition need not be considered)."

MISHNA: Whosoever breaks any bones of the clean paschal lamb incurs the penalty of forty stripes; but the person who should leave a part of the paschal lamb over night, or who breaks a bone of an unclean paschal sacrifice, does not incur that penalty.

GEMARA: It is perfectly proper that a man who leaves part of the paschal lamb over night should not incur the penalty of stripes, because the negative commandment [Exod. xii. 10]: "Ye shall not let anything of it remain until morning," does not involve the execution of an act, and the violation of a negative commandment of such a character does not carry with it the penalty of stripes; but whence do we adduce that a person who breaks a bone of an unclean paschal sacrifice should not incur that penalty? Because it is written [ibid. xii. 46]: "No bone shall ye break *in it*," and the term "*in it*" signifies, that only in a clean paschal sacrifice it is not allowed, but not in an unclean.

The rabbis taught: It is written: "No bone shall ye break *in it*," and this signifies that this must be done in a valid sacrifice but not in an invalid. Rabbi, however, said: "I do not derive this rule from this passage alone, but from the fact that in the same verse [Exod. xii. 46] we find: 'In one house shall it be eaten, etc., and no bone shall ye break in it,' and hence we must say, that only if a bone was broken in a lamb which may be eaten is the penalty of stripes incurred, but not in a lamb which must not be eaten." Wherein do these two statements differ? Said Abayi: "The difference arises in a case where a bone was

broken in the lamb on the day preceding Passover. According to the one statement, which makes a man punishable with stripes if he break a bone in a valid paschal sacrifice, as the paschal lamb is already valid, the man incurs that penalty; but according to the other statement, the fact that the lamb could not at that time be eaten absolves the culprit from the penalty."

An objection was made: Rabbi said, that if a man select only the brains of the paschal sacrifice as his share he may be included in the number appointed to eat it; but he must not be included if he selects as his share the marrow of the thigh-bone. Why should a man be allowed to select as his share the brains of the lamb? Because, in order to extract them it is not necessary to break one of the bones (as they may be extracted through the nostrils). On the other hand, the marrow of the thigh-bone should not be selected because it would necessitate the breaking of that bone. If, however, it is allowed to break the bone during the day, why may not the bone be broken at that time, and thus the marrow, being accessible, be allowed to serve as the share of one of the number appointed to eat the paschal lamb? If the breaking of the bone be the only impediment, then Abayi may reply, there is no need of doing this during the day; for even in the evening the bone may be placed over live coals and burned until the marrow is easily extractable, and thus render it capable of serving as the share of one of the number; for we have learned in a Boraitha, that the burning of the bones or cutting of the sinews cannot be considered a violation of the law against breaking the bones.

Hence we must say, that the reason the bones must not be burned, according to Abayi, is for fear lest they split while burning, which will be considered as breaking the bones, and, according to Rabha, for fear lest the marrow, which is a consecrated thing, be burnt (and the law is that consecrated things must not be burned to commence with); therefore it may be claimed that this should not be done during the day, as a precaution against a person doing it at night.

R. Papa, however, said: Breaking the bone during the day is, according to the opinion of all, prohibited, even though the sacrifice may not yet be eaten at that time, because at night it will be suitable for that purpose and is therefore considered suitable even during the day. They differ, however, concerning a part of a member which had protruded beyond the wall and which must not on that account be eaten. According to the one who

maintains that a person who is guilty of breaking a bone in a valid sacrifice incurs the penalty of stripes, if a man had broken a bone in that member which is valid, he incurs the penalty of stripes; but according to the one who maintains that breaking a bone of such a sacrifice as may be eaten only involves punishment with stripes, he does not incur the penalty, because the member must not be eaten, as we have learned in a Boraitha; R. Ishmael the son of R. Johanan ben Broka said: "A man who had broken a bone in a member of the sacrifice which had protruded beyond the wall does not incur the penalty of stripes." R. Shesheth the son of R. Idi, however, said, that concerning such a member all agree that one who breaks a bone thereof does not incur the penalty, because it is invalid and must not be eaten. They differ, however, concerning one who had broken a bone in a paschal lamb that was yet raw. The one who claims that it is valid, maintains that the man incurs the penalty, but the other says that he does not, because the lamb cannot yet be eaten.

R. Na'hman bar Itz'hak said: "This is *not* the point of variance, because all agree, that one who breaks a bone in a paschal lamb which was still raw incurs the penalty, as the lamb may be roasted and then be eaten. They do differ, however, concerning a man who breaks the tail of the lamb, which must not be eaten, but offered up on the altar. Those who hold that the sacrifice is a valid one hold him to the penalty, while the others claim that, as the tail must not be eaten, the man is exempt."

R. Ashi, however, said: "Not even on this point can they differ; for all agree, that as the tail must not be eaten, the breaking thereof does not carry with it the penalty of stripes. Wherein they do differ is concerning a member of a paschal lamb that does not contain flesh to the size of an olive. According to one, the member being valid, breaking thereof incurs the penalty, while according to the other, the fact that there is not sufficient flesh thereon to be eaten exempts a man who broke it."

Rabhina, however, said: "Neither on this point do they differ, because as there is not sufficient flesh on that member to be eaten, all agree, that breaking it does not involve the penalty; but they do differ concerning a member which a person had broken in a place where there was not sufficient flesh to be eaten, while the same member contained in another place sufficient flesh. Accordingly, some hold that as a member which was valid

was broken, the penalty was incurred, while others maintain that, as the part which could not be eaten was broken, the penalty is not incurred thereby."

We have learned in a Boraitha a support to four of the preceding sages: Rabbi said: "It is written [Exod. xii. 46]: 'In one house shall it be eaten, etc., and no bone shall ye break in it,' which signifies that one is culpable only if he break the bone in a valid sacrifice, but not in one that was invalid. If at one time the paschal sacrifice was valid, and subsequently became invalid while being eaten, the law against breaking its bones does not apply. If the bone broken had the prescribed quantity of flesh thereon, the law against breaking its bones does apply thereto; but if it had not, the law does not apply. Such parts as are to be brought on the altar are not affected by the law. During the time when the paschal lamb is eaten, the law mentioned applies; but at any other time, when it is not eaten, the law does not apply."

R. Ami said: "One who carries out flesh of the paschal sacrifice from one company to another does not become culpable until he deposits it in a certain place, because it is written [Exod. xii. 46]: 'Thou shalt not carry forth aught of the flesh abroad out of the house,' and the same rule applies to this as to carrying on the Sabbath, namely: There must be a removal from a certain fixed place and a deposit in another fixed place."

R. Abba bar Mamal made an objection: "We have learned elsewhere, that if four persons carried it on rods and the first pair stepped outside of the wall of the Temple while the other pair remained on the inside, the clothes of the first pair become unclean but not those of the second pair. There was, however, no deposit of the sacrifice in a certain place; why should they become unclean?" The questioner himself answered this by saying: "This was a case where the sacrifice was not carried, but dragged on the ground (hence there was a deposit in a certain place)."

MISHNA: If part of a member (of the paschal sacrifice) protrude beyond (the Temple), it must be cut until the knife reaches the bone, then the flesh should be removed on the inside (of the Temple) until the joint is reached, when it may be cut off (and the bone must be cast away). With regard to other sacrifices (the bones of which it is permitted to break), the protruding part must be cut off with a slaughtering knife; if it extend from the door-wing (or lobby), it must be considered as

inward; if it protrude farther than this, it is to be considered as outward (and should be cut off). The apertures in a wall and the thickness of a wall may be considered as the inside.

GEMARA: Said R. Jehudah in the name of Rabh: "The same rule applies to an assembly for prayer" (if nine men were on the inside and one on the outside, the assembly is not complete), and he differs with R. Jehoshua ben Levi, who declares, that even an iron wall does not intervene between Israelites and their Heavenly Father.

There is a difficulty in the Mishna itself; in one clause it states, that if the part of the member extend from the door-wing it is considered on the inside, hence the door-wing is itself considered on the outside; while in the next clause we find, if it extend farther than this it is on the outside, hence the door-wing itself is considered on the inside?

This presents no difficulty; the former clause refers to the door of the Temple, while the latter clause refers to the door of the walls surrounding Jerusalem, as R. Samuel bar R. Itz'hak said: "Why were not the gates of Jerusalem sanctified (as if they were inside of Jerusalem)? because those afflicted with sores seek shelter beneath them from the sun and rain," and further, he said: "Why was not the gate of Nikmor sanctified? Because those afflicted with sores who brought their sacrifices would thrust their forefingers through the holes in the gate in order to have them smeared with the blood of their sacrifices."

"*The apertures in a wall and the thickness of a wall,*" etc. Rabh said: "The roof and the attics of the Temple were not sanctified." This is not so! Did not Rabh say in the name of R. Hyya, that the companies partaking of the paschal sacrifices were so great that when they would shout the Hallel-prayer the roof would nearly burst through the sound of their voices? Hence must it not be assumed, that the paschal sacrifices were eaten also on the roof? Nay, they ate the sacrifices below, but went up on the roof to recite that prayer.

Come and hear! Abba Saul said: The attic of the holy of holies was even more holy than the holy of holies itself, for while the latter was entered once every year, the former was entered only once in seven years; according to others twice in seven years, and according to others only once in fifty years, and then only to see whether any repairs were necessary (whence we see, that the attic was also sanctified?). Said R. Joseph: How can a comparison be drawn between the Temple and the

city of Jerusalem? Concerning the Temple it is written [I Chronicles xxviii. 11]: "Then gave David to Solomon his son, the pattern of the porch, and of its apartments, and of its treasuries, and of its upper chambers, and of its inner chambers, and of the place of the cover of the ark"; and further, it is written [ibid. 19]: "All this, said David, was put in writing from the hand of the Lord, who gave me instruction respecting all the works of the pattern."

MISHNA: When two companies eat their paschal sacrifice in the same house (room), each turning their faces in a different direction while eating thereof, and the warming pot or kettle (containing the water to be mixed with the wine) is in the centre between the two companies, the waiter or servant must close his mouth (*i.e.*, not eat), (in order not to be suspected of eating with both companies), while he waits on the other company to pour out wine for them; then he must turn his face towards the company he eats with, and he must not eat till he rejoins his own company. It is, however, permitted to a bride to avert her face from the company while eating the paschal sacrifice.

GEMARA: This Mishna is in accordance with the opinion of R. Jehudah, as we have learned in the following Boraitha: It is written [Exod. xii. 7]: "In the houses, wherein they shall eat it," whence we may infer, that two companies are allowed to eat in one house. Should we assume that one may also eat it in two places of one house, therefore it is also written [ibid. 46]: "In one house shall it be eaten," which signifies that it may be eaten only in one place. Thence the sages declared, that if the servant who roasted the lamb (or the kid) had forgotten, and eaten a piece the size of an olive while he was engaged in roasting it, he should, if he knows his advantage, eat his fill right then and there, for he will not be allowed to eat any more thereof elsewhere; and if his company wish to show him favor, they can come and sit by him, and thus enable him to eat his fill if he had not already done so. Such is the dictum of R. Jehudah.

R. Simeon, however, said, that the passage "In the houses wherein they shall eat it," signifies, that a man may eat his paschal sacrifice in two different places; but lest a man should also assume that he may eat with two companies, the other passage, "In one house shall it be eaten," is added.

If one company was sitting and suddenly a partition was created between them (by the falling of a curtain), those who say that it is permitted to eat the paschal sacrifice in two com-

panies allow them to eat, but those who say that it is not allowed to eat in two companies do not permit them to do so. If the contrary was the case, *i.e.*, if a partition which had been between them was suddenly removed, those who say that the paschal sacrifice must not be eaten in two places do not allow them to eat it, while those who say it may be eaten in two places permit them to eat it.

R. Kahana was sitting and proclaiming this as a positive rule. Said R. Ashi to him: "This is not a positive rule. The question arises whether the partition which was formed or which was removed produced two companies and two places or not, and this question is undecided."

"*It is, however, permitted to a bride to avert her face,*" etc. Why so? Said R. Hyya bar Abba in the name of R. Johanan: "Because she is bashful."

R. Huna the son of R. Nathan happened to be a guest of R. Na'hman bar Itz'hak. The latter asked him his name, and he replied: "Rabh Huna." Said R. Na'hman to him: "Let Master sit on a bed," and he did so. A goblet of wine was handed him, and he at once accepted it and drained it in two draughts; but did not avert his face. He was finally asked why, when his name was inquired for, he called himself "*Rabh* Huna," and he answered: "Such has been my name since my youth." "Why, then, didst thou immediately take thy seat on the bed when requested to do so?" was the question put to him, and he replied: "Because such is the rule, that whatever the master of the house requests his guest to do, the guest should comply." "Why didst thou at once accept the goblet of wine?" he was asked again, and the answer was: "Because when a man superior to thyself offers thee anything, thou shouldst at once accept it, while only one that is inferior to thee should be allowed to insist upon thy acceptance." "Why didst thou drain it in two draughts?" "Because a Boraitha teaches: 'One who drains his cup at one draught is a glutton. One who drains it in two draughts shows the proper respect, while one who drains it in three is a conceited man.'" "Why didst thou not at least avert thy face?" "Because it was expressly taught, that only a bride averts her face."

R. Ishmael bar R. Jose happened to be a guest of R. Simeon ben R. Jose ben Lakunia, and was given a goblet of wine, which he at once accepted and drained at a draught. The people present said to him: "Does not the Master hold, that one who

drains his cup at one draught is a glutton ?'' and he answered: '' This was certainly not said of a goblet so small as this, especially if containing wine so sweet and intended for a stomach of the capacity of mine.''

R. Huna said: '' A company which was appointed to eat the paschal sacrifice—if three had arrived and the rest were still absent—may commence to eat it. If the entire company had been there and gone away without eating the sacrifice, but one had remained, that one may eat it himself.'' Said Rabha: '' This only applies if the three who entered had sent the servant to look for the others and they could not be found.'' Rabhina said: The three who did eat the paschal sacrifice should also be made to pay for it themselves, and the one man who had remained should also pay for more than his share. The Halakha, however, does not prevail according to Rabhina.*

* All this is in accordance with the explanation of Rabbenu Hananel and not of Rashi, as it is the more reasonable.

CHAPTER VIII.

REGULATIONS CONCERNING THOSE OBLIGATED TO EAT THE PASCHAL SACRIFICE—WHERE IT MAY BE EATEN—COMPANIES APPOINTED TO EAT IT, AND THE DIFFERENCE BETWEEN THE FIRST AND SECOND PASSOVER.

MISHNA: If a paschal sacrifice had been slaughtered for a woman living in her husband's house, by her husband, and another lamb had been slaughtered by her father (also counting her in), she must eat that of her husband. If she came to pass the first festival after her marriage at her father's house and her father and husband have each slaughtered a paschal sacrifice for her, she may eat it at whichever place she prefers. If several guardians of an orphan have slaughtered paschal sacrifices for him, the orphan may go and eat it at the house he prefers. A slave belonging to two masters must not eat of the sacrifice of both masters. One who is partly a slave and partly free must not eat of the paschal sacrifice of his master.

GEMARA: Does the teaching of this Mishna then mean to signify, that there is such a thing as premeditated choice, *i.e.*, if the woman chose to eat at the house of either her husband or her father her intention to that effect was already existing at the time of the slaughtering of the lamb? Nay; by the statement "if she prefer it," it is not meant that she prefers to do it at the time when she is about to eat, but at the time when the sacrifice is to be slaughtered.

The following presents a contradiction: We have learned in a Boraitha: The first festival after a woman's marriage, she eats at the house of her father, but from that time on and further she may eat wherever she prefers to do so. This presents no difficulty. The Mishna refers to a case where the woman is not anxious to go to her father's house, in which event she may eat at her husband's house, while the Boraitha refers to a case of where the woman would rather eat at her father's house, as it is written [Solomon's Song viii. 10]: "Then was in his eyes as one that found favor," and R. Johanan held the passage to refer to

a daughter-in-law who was anxious to go to her father's house and relate how she had found favor in the eyes of her husband's family.

It is written [Hosea ii. 18]: "And it shall happen at that day, saith the Lord, that thou shalt call me Ishi (my husband), and shalt not call me any more Ba'ali (my master)." Said R. Johanan: This signifies that (Israel will be as near to the Lord) as a woman who is in the household of her husband is to her husband, and not as one who is still in her father's house.

It is written [Solomon's Song viii. 8]: "We have a little sister, and she hath yet no breasts." Said R. Johanan: This refers to the province of Elam, which was destined to learn only and not to teach (because there lived Daniel, who had no disciples, while Babylonia had Ezra, who left disciples).

It is written [ibid. viii. 10]: "I am a wall and my breasts are like towers." Said R. Johanan: "'I am a wall' refers to the Law, and 'my breasts are like towers' refers to the scholars who study it;" but Rabha said: "'I am a wall' refers to the congregation of Israel, and 'my breasts are like towers' refers to the synagogues and colleges."

R. Zutra bar Tobiah said in the name of Rabh: It is written [Psalms cxliv. 12]: "So that our sons may be like plants, grown up in their youth; our daughters, like corner-pillars, sculptured on the model of a palace." By "our sons may be like plants" are meant the youths of Israel who had not yet tasted of the flavor of sin, and by "our daughters like corner-pillars" are meant the maidens of Israel who lock their doors to men, as it is written in the next verse [ibid. 13]: "May our garners be full, furnishing all manner of store." By the passage "sculptured in the model of a palace" is meant, that both the youths and the maidens who have not sinned are worthy to have the Temple built in their days.

It is written [Hosea i. 1]: "The word of the Lord that came unto Hosea the son of Beëri, in the days of Uzziyah, Jotham, Achaz, and Hezekiah, the kings of Judah." At the same time four prophets prophesied, and the greatest among them was Hosea, as it is written further [ibid. 2]: "The beginning of the word of the Lord by Hosea was," which was explained by R. Johanan to mean the first of the four prophets that prophesied in that day, and they are: Hosea, Isaiah, Amos, and Micah. The Holy One, blessed be He, said to Hosea thus: "Thy children have sinned," and Hosea should have answered: "They

are *Thy* children, the children of thy favorites Abraham, Isaac, and Jacob, and Thou shouldst extend towards them Thy mercy"; and not alone did he not make this reply, but even said: "Creator of the Universe! The whole world is thine. Why not exchange them for another nation?" Whereupon the Lord said: "What shall I do with this old man? I shall tell him to take unto himself a wife of prostitution and have children of prostitution [ibid. 2], and then I shall tell him to send her away; and if he will then be able to do so, I shall also cast off Israel, as it is written further [ibid. 3]: "So he went and took Gomer the daughter of Diblayim." ["Gomer" (which means conclusion), said R. Jehudah, "was so called because at that time the money of the Israelites was about to be abolished," and R. Johanan said: "It was already abolished, for the Israelites were robbed of all possessions, as it is written [II Kings xiii. 7]: 'For the king of Syria had destroyed them and had made them like the dust at threshing.'"] It is further written: "And she conceived and bore him a son" [Hosea i. 4]. "And the Lord said unto him, Call his name Yizre'ël (God will scatter, etc.)." [Ibid. 6:] "And she conceived again and bore a daughter; and He said unto him, Call her name Loruchamah (not finding mercy); for I will not further have any more mercy upon the house of Israel; but I will give them their full recompense, etc." [Ibid. 8:] "Now when she had weaned Loruchamah, she conceived, and bore a son." [Ibid. 9:] "Then said He, Call his name Lo'ammi (not my people); for ye are not my people, and I will indeed not be unto you (a God)." So after Hosea had born unto him two sons and a daughter, the Lord said unto him: "Shouldst thou not have learned from the example of Moses, who, immediately after I began to speak to him, separated himself from his wife? Then as he did, so also shalt thou do." Hosea answered: "Lord of the Universe! I have children with her, and cannot cast her off nor send the children away." So the Lord replied: "If then thou, who hast a wife of prostitution and whose children thou knowest not even whether they be thine, canst not separate thyself from her, how then can I cast off my children (Israel), whose fathers, Abraham, Isaac, and Jacob I have tried —Israel, which is one of the four acquisitions which I have acquired in my world [see Aboth, Chap. VI., and Exod. xv. 16], and thou wouldst tell me to exchange them for another nation!"

As soon as Hosea realized that he had sinned, he commenced to pray for mercy for himself, and the Lord said unto him:

" Instead of praying for mercy for thyself, pray rather for mercy for Israel, for through thee I pronounced those three invectives [mentioned above] against them." So he followed the behest of the Lord, and after praying for Israel, the three invectives were retracted and annulled. Finally, when this came to pass, Hosea commenced to bless the people, as it is written [chap. ii. 1–3]: " Yet shall the number of the children of Israel (once) be like the sand of the sea, which cannot be measured nor numbered; and it shall come to pass that, instead that people say of them, Ye are not my people (Lo'ammi), shall they call them the sons of the living God. Then shall the children of Judah and the children of Israel be gathered together, and they will appoint for themselves one head, and they shall go up out of the land; for great shall be the day Yizre'ël. Call ye your brothers Ammi (my people); and your sister, Ruchamah (that hath obtained mercy)."

R. Johanan said: Woe is to a dominion that overwhelms its own master, for we find that there was not one prophet who did not outlive four kings, as it is written [Isaiah i. 1]: " The vision of Isaiah the son of Amoz, which he saw concerning Judah and Jerusalem in the days of Uzziyahn, Jotham, Achaz, and Hezekiah, the kings of Judah," and this also with the other prophets.

R. Johanan said again: Why was it destined for Jeroboam, king of Israel, to be counted with the kings of the house of David? (*Vide* Hosea i. 1.) Because he did not listen to calumny brought against Amos, as it is written [Amos vii. 10]: " Then sent Amazyah the priest of Beth-el, to Jeroboam the king of Israel, saying, Amos hath conspired against thee in the midst of the house of Israel," etc.; and further, it is written [ibid. 11]: " For this hath Amos said: By the sword shall Jeroboam die," etc., and Jeroboam answered: " God forbid that the righteous man (Amos) should have said this; but if he did, what can I do concerning him? Surely the Shekhina put the words in his mouth!"

R. Elazar said: Even when the Lord is angered, he also remembers His mercy, as it is written [Hosea i. 6]: " I will not farther have any more mercy upon the house of Israel; but I will give them their full recompense," reads: " I will not (go) farther; I will have mercy upon them," * etc.

* This version of the verse R. Elazar bases upon the fact that the Hebrew term " Ara'hem " means " I will have mercy upon them," and if it were as translated in the first version of the passage the term used would be " Lera'hem."

R. Jose bar Hanina said: "The latter part of the verse can be construed to mean that 'their sins will be obliterated.'"

R. Elazar said again: "The Holy One, blessed be He, sent the children of Israel into exile among the heathens only for the purpose of acquiring more converts, as it is written [Hosea ii. 25]: 'And I will sow her for me in the land,' and as a matter of course sowing is done in order to reap a harvest."

R. Johanan infers it from the next passage [ibid. ibid.]: "I will have mercy upon 'Her that had not obtained mercy,'" refers to the heathens who were not yet converted and upon whom mercy will be had by scattering among them the Israelites as fruitful seed.

R. Johanan said in the name of R. Simeon ben Jochai: It is written [Proverbs xxx. 10]: "Do not calumniate a servant unto his master: lest he curse thee, and thou incur guilt," and further, it is written [ibid. 11]: "There is a generation that curseth its father, and doth not bless its mother," which signifies that even in a generation that curseth its father, etc., a man should not slander the slave to his master. Whence do we know this? From the instance of Hosea (who spoke in a derogatory manner of Israel and thereby incurred the wrath of the Lord).

R. Oshiya said: It is written [Judges v. 11]: "'*Tzidkath Pirzono Be-Israel*" (the benefits towards the open towns in Israel). Read instead: "Tzidkath Pizrono Be-Israel" (the benefits conferred on Israel by scattering them among the nations). This is in accord with the statement of a Roman official to R. Hanina; viz., "We are better men than ye are; for concerning you it is written [II Kings xi. 16]: 'For six months did Joab remain there with all Israel, until he had cut off every male in Edom.' Yet we, who have dominated over you so long a time, have not destroyed you." Said R. Hanina to him: "Wouldst thou permit, that one of my disciples should argue the matter with thee?" (The official acquiesced.) R. Oshiya then came up and said to him: "The only reason why ye have not destroyed Israel, is because ye know not how to proceed. Should you desire to destroy all the Jews, it would be impossible, for there are numbers who are beyond your dominions; should you only destroy those that dwell among you, you would be called a curtailed dominion (because there would be a nation missing)." The official then answered: "I swear by the ruler of Rome that, when deliberating upon this matter, we begin and end with that argument."

R. Hyya taught: It is written [Job xxviii. 23]: "God alone understandeth her way, and he knoweth her place," which signifies, that God knew that the children of Israel could not bear the tyrannical behests of the Edomites (or Romans), and for that reason He sent them into exile to Babylon or Persia, where they were not compelled to suffer so much.

R. Elazar said: Why was Israel exiled to Babylon? because Babylon is as low as the grave, and it is written [Hosea xiii. 14]: "From the power of the grave would I ransom them, from death would I redeem them." R. Hanina said: "They were exiled to Babylon because the language there is similar to the vernacular of the Law." R. Johanan said: They were exiled there because that was their native country (for Abraham came from Babylon); and this may serve as an example of a man who becomes angry with his wife and sends her back to her mother, and this is according to R. Alexandre's opinion, who said: "Three things returned whence they originated; namely, "Israel, the money carried out of Egypt by the Israelites, and the script of the tablets of the Law": Israel, as just mentioned; the money carried out of Egypt, as it is written [I Kings xiv. 25]: "And it came to pass in the fifth year of King Rehoboam, that Shishak the King of Egypt came up against Jerusalem [ibid. 26], and he took away the treasures of the house of the Lord and the treasures of the king's house, etc."; "the tablets," as it is written [Deutr. ix. 17]: "And I broke them before your eyes," and we have learned in a Boraitha that the tablets were broken and that the letters inscribed thereon vanished.

Ula, however, said: "Israel was exiled to Babylon because the necessities of life were cheap there, and the men would thus be enabled to live cheaply and at the same time study the Law." Ula once came to Pumbaditha, and a basket of dates was brought to him; so he asked how many baskets like that could be bought for one zuz, and he was told that three could be bought for one zuz. Said he to himself: "A big basket of honey for one zuz, and still the Babylonians do not study the Law sufficiently!" He ate too many dates, and it proved injurious to him. Said he to himself this time: "A whole basket of poison for one zuz, and still the Babylonians study."

R. Elazar said again: It is written [Isaiah ii. 3]: "And many people shall go and say, Come ye and let us go up to the mountain of the Lord, to the house of the God of Jacob." Of the God of Jacob, and not Abraham and Isaac? (Not that the

God of Jacob is not also the God of Abraham and Isaac,) but the house of God is not the mount concerning which it is written [Genesis xxii. 14]: "On the mount of the Lord shall it be seen," nor yet the field of Isaac where he went out to perform his devotions [Gen. xxiv. 63], but the house of the God of Jacob, as it is written [Gen. xxviii. 19]: "And he called the name of the place Beth-el (house of God)."

R. Johanan said: The day on which all the children of Israel will be recalled from exile will be as great as the day on which the world was created, because it is written [Hosea ii. 2]: "Then shall the children of Judah and the children of Israel be gathered together, and they will appoint for themselves one head, and they shall go up out of the land; for great shall be *the day* of Yizreël"; and as it is written [Genesis i. 5]: "It was evening and it was morning, the first *day*," and hence the comparison.

"*If several guardians of an orphan have slaughtered*," etc. Infer from this, then, that there is such a thing as premeditated choice! Said R. Zera: It is written [Exod. xii. 3]: "A lamb for every house," and that signifies, that the head of the house can slaughter a lamb for the entire family without consulting them.

The rabbis taught: "It says: 'A lamb for every house.' Whence we may infer that a man may slaughter the lamb for his minor sons and daughters, for his Canaanitish bond-men or bond-women, whether he have their consent or not; but he must not slaughter it for his adult sons and daughters, for his Israelitish bond-men or bond-women, or for his wife, without their consent."

"*A slave belonging to two masters*," etc. R. Aina the Elder propounded a contradictory question to R. Na'hman: "We have learned in our Mishna that a slave belonging to two masters must not eat the paschal lamb at the houses of both, and in another Boraitha we have learned that if he chooses he can eat it at either one or the other," and R. Na'hman answered: "Old Aina! This is a case analogous to you and myself. (If we are on good terms we can partake of a joint meal, and) thus also the Mishna treats of masters who are not on good terms with each other, while the Boraitha treats of masters to whom it makes no difference where the slaves eat."

MISHNA: If a person order his slave to go and slaughter for him the paschal sacrifice, and the slave go and slaughter a

kid or a lamb, he may eat it; if he slaughter a kid and a lamb, he may only eat that which he slaughtered first. How is he to act when he has forgotten the exact words of the order of his master? He should kill a lamb and a kid, and say (at the time of the killing and sprinkling of the blood), "If my master said 'a kid,' then may the kid be for him and the lamb for me, but if he said 'a lamb,' then be the kid for me and the lamb for him." If the master also had forgotten the precise terms of the order he gave, both animals must be burned, and neither master nor slave is bound to bring a second paschal sacrifice.

GEMARA: It is self-evident that if the slave slaughtered a lamb, although he generally slaughtered a kid, he may partake of the lamb, and if he slaughtered a kid, contrary to his usual custom of killing a lamb, he may eat of the kid; but is not the further statement in the Mishna, to the effect that if he slaughtered both he should only eat of that which he slaughtered first, contrary to the teaching of the Boraitha "that one man should not be appointed to eat of two paschal sacrifices" (how then may he eat of the offering slaughtered first)? The Mishna treats of the case of a king and a queen, as we have learned in a Boraitha, viz.: "One man must not be appointed to eat of two paschal sacrifices"; but it happened that a king and a queen ordered their slaves to slaughter the paschal sacrifice for them, and the slaves went and slaughtered two—a kid and a lamb. Afterwards they came to the king and asked him (which of the two he would eat), and he told them to ask the queen. When they asked the queen, she ordered them ask Rabbon Gamaliel, and when they came to R. Gamaliel he said: "In the case of the king and the queen, who are not particular whether they eat a kid or a lamb, they should eat of the first one slaughtered; but if this occurred to a man in our condition of life, he would not be allowed to partake of either."

At another time it happened that a reptile was found in the slaughter-house of the king, and it was thought that the reptile was dead, thus causing the entire meal prepared for the king and queen to become unclean. The servants came to the king and asked him concerning the matter, and he referred them to the queen, who in turn ordered them to inquire of Rabbon Gamaliel. When they came to R. Gamaliel, he asked them where the reptile had been found—among hot (food) or cold. They answered that it was found among hot; so he told them to get a cup of cold water and pour it on the reptile. This was done,

and the reptile moved. Accordingly R. Gamaliel held all the meal to be undefiled (for only the *dead body* of a reptile causes defilement, but not a live one). From this we can see, that the king depended upon the queen and the queen upon R. Gamaliel, and thus the entire meal of the king depended upon the decree of Rabbon Gamaliel.

"*If the master also had forgotten the precise terms of the order,*" etc. Said Abayi: "Such is the case only if he had forgotten *after* the blood of the sacrifice had been sprinkled, for at that time the sacrifice was already fit to eat, and therefore no second Passover-sacrifice is necessary; but if he had forgotten *prior* to the time when the blood was sprinkled, in which case the sacrifice was not yet suitable to be eaten, he must bring a second Passover-offering."

According to others, Abayi did not make the above statement with reference to the Mishna but with respect to the Boraitha which follows: "If five skins of five different sacrifices were mixed and a blemish was found on the skin of one, all five sacrifices must be burned, but still neither one of the five owners need bring a second Passover-sacrifice." Commenting on this, Abayi said: "They need not bring a second sacrifice if the skins had become mixed after the sprinkling of the blood; for when the blood was sprinkled there were four of the sacrifices fit to be eaten. But if they had become mixed prior to the sprinkling, in which case none of the five were yet fit to be eaten, the owners are in duty bound to bring second Passover-offerings."

Those who hold that Abayi refers the statement mentioned to the Mishna, hold so much the more that he makes it with respect to the Boraitha also; but those who hold that he refers it to the Boraitha, maintain that in all probability he does not make the statement with reference to the Mishna: because in the case of the Boraitha one of the sacrifices was beyond doubt invalid through the blemish on the skin, and therefore a second Passover-offering should be brought; but in the Mishna the sacrifices were at all events valid, and the owner had merely forgotten what he had ordered. Still to the Lord his intention was known, and for that reason a second Passover-offering is not necessary.

The Master said (in the Boraitha): "Neither of the five owners need bring a second Passover-sacrifice." Why not? One of them had surely not acquitted himself of his duty! Because it is impossible to remedy the case. Should each of the

five bring a second Passover-offering, the four whose sacrifices were valid will be guilty of bringing ordinary animals into the Temple for paschal sacrifices, and that is prohibited. Should all five bring but one, then it will be eaten by persons not appointed for that purpose. Hence all five are exempted.

MISHNA: If a man say to his sons: "I slaughter the paschal sacrifice for whichever one of you shall arrive first in Jerusalem; then the first of them, whose head and greater part of the body first appears (in the city gate), thereby acquires a right to his own share and acquires the same for his brothers.

GEMARA: Infer therefrom that there is such a thing as premeditated choice (for originally the man did not know which one of his sons would arrive first, and when one *did* arrive, it must be assumed that that son was the one for whom the man intended to slaughter the sacrifice at the time of slaughtering). Said R. Johanan: "The man actually intended the sacrifice for all of his sons, but he merely mentioned the one who arrived first in order to cause his sons to hasten to fulfil their duty." This can be inferred from the Mishna itself, which teaches that the one son can also acquire the right to their shares for his brothers. This would be proper if the man intended the sacrifice for all his sons to commence with; but if we should say, that he did not intend it for all of them at the time of the slaughter, how can a right be acquired for them after the slaughtering had been done? for we have learned in a Mishna: "They may be numbered for the sacrifice, and can withdraw from it only until the time of slaughtering." Such, then, is the conclusion.

We also learned in support of this in a Boraitha: It once happened that the daughters of a man made their appearance before the sons did, and the daughters were consequently held to be alert while the sons were tardy.

MISHNA: As many people may partake of a paschal sacrifice as can obtain therefrom the quantity of flesh of the size of an olive. Those that were appointed to eat it may withdraw (from the company) before the paschal sacrifice is slaughtered. R. Simeon said: "They may do so until the blood thereof is sprinkled."

GEMARA: What would (this Mishna) teach us? It would inform us that, even if one company had already been numbered to eat the sacrifice, another company may nevertheless be appointed, provided always that there will be a quantity of flesh of the size of an olive for each member of the second company.

"*Those that were appointed to eat may withdraw,*" etc. Said Abayi: The point of difference between the sages and R. Simeon is only as regards the withdrawal. The sages hold that the passage [Exod. xii. 4]: "And if the household be too small for a lamb," refers to a lamb which is still alive, while R. Simeon holds that it refers to a lamb which is still on hand (in a slaughtered state); but as for the appointment of the company, all agree, that this can be done only until the time of slaughtering, because it is written [ibid. ibid.]: "According to the number of souls," and immediately following it says, "shall ye make a count for the lamb."

We have learned in a Boraitha in accordance with the above: Those appointed to eat of the sacrifice may withdraw until the time of the slaughter; but R. Simeon says: "The appointment may be made until the time of the slaughter; but withdrawal therefrom may be effected until the sprinkling of the blood."

MISHNA: If a person had appointed others to partake with him of his share of the paschal sacrifice, his company are at liberty to give him his share so that he may eat it apart from them with his guests, and they may eat their own share (apart from him and his guests).

GEMARA: The schoolmen propounded a question: If a member of a company have a larger capacity than the other members, may the rest of the company offer him his share to eat separately, or can he insist upon his right to partake of the sacrifice jointly with them? And can they, on the other hand, maintain that they received him as a member only in order to prevent a remainder being left over from the (consecrated) sacrifice, but that they did not calculate upon his appropriating more thereof than the other members of the company?

Come and hear! If a member of a company had a larger capacity than the other members, the rest may say to him: "Take thy share and go!" and not only this; but even if five persons had formed a partnership for the entire year and one of them appropriated more than his due, the others might say to him: "Take thy share and go!" Hence the conclusion.

What additional information would the statement, "not only this, but even if," etc., impart to us? We are told by this statement, that not only can a man be ousted from a company appointed to eat the paschal sacrifice on the ground that he was taken in only to avoid having a remainder left over, but even in an ordinary case of partnership, where such a claim cannot be

brought forward, a man may be ousted if appropriating more than his just share.

According to another version, this was not the subject at issue, but the question was merely whether a company which had gone into partnership (for any purpose whatever) might be divided or not. Come and hear: If a member of a company had a larger capacity than the other members, he might be told to "take his part and go"; whence we may infer that this may be done only if he had a larger capacity than the others, (because he was taken in only to avoid a remainder being left over,) but where such a claim cannot be put forth he cannot under any circumstances be ousted. Such is the conclusion.

R. Papa and R. Huna the son of R. Jehoshua agreed to take a meal in common. In the time it took R. Huna to eat one (date) R. Papa would consume four. Said R. Huna to him: "Give me my share (and let me go)!" and R. Papa answered: "We are in company! (Eat also as quickly as I do.)" Whereupon R. Huna propounded to him the previous questions (concerning divisions of partnership mentioned above), and was answered accordingly. He then asked him concerning the Boraitha, bringing the instance of an ordinary partnership (cited above), whereupon R. Papa gave him his share.

R. Huna then left and made common cause with Rabhina. In the time R. Huna bar R. Jehoshua would eat one (date) Rabhina would consume eight. So R. Huna said: "Rather an hundred Papas than one Rabhina."

The rabbis taught: If one man invite several others to go with him and partake of his paschal or festal offering, the money in his possession obtained from the guests he invites is non-consecrated, (notwithstanding the fact that money was given with the intention of applying it to a consecrated purpose). One who sold his burnt-offering or his peace-offering is not considered to have done anything, and the money obtained, whatever it be, should be applied to a voluntary offering. If the man is not considered to have done anything, why should the money obtained be applied to a voluntary offering? Said Rabha: This is virtually a punishment for the purchaser (in order to prevent him from buying burnt and peace offerings from another); (for not the mouse is the thief but the hole, *i.e.*, the thief is not as guilty as the receiver of stolen property who aids him). What is the meaning of "whatever it be"? This means to imply, that even if the amount paid was in excess of the value of the

sacrifice, *f.i.*, it was worth four, and five (zuz) were paid, even the one zuz in excess of the value is assessed as a punishment, and not, as might be assumed, allowed the purchaser.

MISHNA: If a person, having a running issue, had observed such issue twice on the same day, and the seventh day after (his malady had subsided) fall on the 14th day (of Nissan), (when he is no longer defiled), he may have the paschal sacrifice slaughtered for him on that day; but if he had observed the issue three times in one day, it may be slaughtered for him only if the eighth day (when he again becomes clean) should fall on the 14th (of Nissan). For a woman whose menstruation continued for a day beyond her regular period, the paschal sacrifice may be slaughtered if the second day (after her menstruation had subsided) fall on the 14th (of Nissan); if it continued two days beyond her regular period, the sacrifice may be slaughtered for her if the 14th (of Nissan fall) on the third day after the menstruation had subsided; but for a woman whose flow of menses continued three days beyond her regular period, the sacrifice may be slaughtered only if the 14th (of Nissan) fall on the eighth day after the flow had stopped.*

GEMARA: R. Jehudah said in the name of Rabh: "For a person who had a running issue the paschal sacrifice may be slaughtered on the day on which he takes his legal bath even before the sun had set on him (if that day be the 14th of Nissan). The same law applies to one who had already bathed, but had not yet received forgiveness from the altar (*i.e.*, had not yet brought the legal sacrifice); but for one who had contracted uncleanness through contact with a dead reptile the sacrifice must not be slaughtered nor the blood sprinkled, even though he may legally take his bath on that day." Ula, however, said, that for the latter also the sacrifice may be slaughtered and the blood sprinkled.

According to Rabh, why may the sacrifice be slaughtered for one who had a running issue and had taken his legal bath? because he will at night be allowed to partake thereof. Why, then, should he not accord the same permission in the case of one who had become defiled through a dead reptile? For the reason that the latter had not yet taken his legal bath. But even for the one who had bathed, is not sunset lacking? The

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* The detailed laws concerning the cases under discussion in the Mishna will be brought forward in Tract Niddah.

sunset must eventually take place, while one may neglect to take a bath. What about the one who still lacks forgiveness? Surely that may be delayed? The case of a man is spoken of, who already has the necessary sacrifice in his possession. If that be the case, then the one who had not yet taken his bath can claim that the bath is ready for him? Still, there is fear that he might not take advantage of it. Can this not also be the case with the one who lacks forgiveness, even if he have the sacrifice in his possession? "In his possession" signifies, that the sacrifice had already been delivered to the tribunal of the priests, and this is in accordance with R. Shamaiah's opinion, which reads: "We are certain that the tribunal of the priests does not adjourn until all the money contained in the chests and set apart for the sacrifices of the day is properly disposed of."

Let us see! Rabh, who does not permit the sacrifice to be slaughtered for one who had become defiled through a reptile and had not yet bathed, does so, because he claims that there is fear lest the man should not take his legal bath, which is merely a rabbinical precautionary measure, while according to biblical law the precaution is dispensed with and the sacrifice may be slaughtered for him. How, then, can Rabh prescribe that if a congregation is equally divided between clean and unclean members, one of the clean should be defiled by being brought in contact with a reptile? Therefore we must say, that, according to Rabh, one who had become defiled through contact with a reptile cannot even according to biblical law have the sacrifice slaughtered for him; for it is written [Numbers ix. 10]: "If any man whatever should be unclean by reason of a dead body," and we know that even if the seventh day of such a man's uncleanness fall on the eve of Passover, still the Law prescribes that he should bring his sacrifice on the second Passover, and the seventh day is the equivalent of a day on which a man had become defiled through a dead reptile.

Whence do we know, that the seventh day fell on the eve of Passover, perhaps it is not the seventh day (but the fifth or sixth)? Because we know that Rabh holds with R. Itz'hak, who states as follows: "It is written [ibid. ix. 6]: "But there were certain men who had been defiled by the dead body of a man, and they could not prepare the Passover-lamb on *that day.*" Whence we adduce, that they were defiled by a corpse for which no burying-ground had been provided, and the seventh after their defilement happened on the eve of Passover, because it is

distinctly written, "on that day," which signifies, that though they could not prepare the sacrifice "on that day" they could do so on the morrow, and still the Law prescribed that they should bring their sacrifice on the second Passover.

MISHNA: For a mourner who has lost a relative, for whom he is obliged to mourn, on the 14th (of Nissan); for a person employed in digging out of a heap of fallen ruins persons buried among them; for a prisoner who has the assurance of a release (in time to eat the paschal sacrifice); and for aged and sick persons, it is lawful to slaughter the paschal sacrifice while they are able to partake thereof a quantity at least the size of an olive. For none of these, however, may it be slaughtered on their account alone, because they may cause the paschal offering to become desecrated and useless; therefore, if any one of the persons enumerated becomes disqualified to partake of the paschal sacrifice, he need not bring a second, with the exception of a person who had dug out a dead body from beneath the ruins, since such a person is unclean to commence with.

GEMARA: Said Rabba bar Huna in the name of R. Johanan: A prisoner on whose account alone the paschal sacrifice should not be slaughtered is one who is imprisoned in the prison of the heathens; but one who is in a prison of the Israelites, if his release for that day was promised him, may have the paschal sacrifice slaughtered for him, because the promise will surely be fulfilled, as it is written [Zephaniah iii. 13]: "The remnant of Israel shall not do injustice, nor speak lies." R. Hisda said: "In treating of the prisons of the heathens, only such are meant as are outside of the walls of Beth Paagi; but if a prisoner is confined in a prison of the heathens inside of the walls of that place, he may have the paschal sacrifice slaughtered for him even if he be not released on the eve of Passover, as it may be brought to him while in confinement and he is allowed to partake thereof."

"*Therefore, if any one of the persons enumerated becomes disqualified*," etc. Said Rabba bar bar Hana in the name of R. Johanan: "Thus we have also learned in a Boraitha in the name of R. Simeon the son of R. Johanan ben Broka, viz.: If a man dig out of a heap of fallen ruins (persons buried among them), he is sometimes exempt from the duty of bringing a second Passover-offering and at other times he is obliged to do so. How so? If the heap was round and when commencing to dig he virtually formed a tent over the corpse which he was attempting

to dig out, and at the time the paschal offering was being slaughtered, he was already unclean and should therefore bring a second Passover-offering; but if the heap was oblong and the digging was commenced at the side, it is doubtful whether by the time the corpse was reached, (making the man unclean,) the sacrifice had already been slaughtered, and wherever there is a doubt a second Passover-offering need not be brought."

MISHNA: The paschal sacrifice must not be slaughtered for a single individual. Such is the dictum of R. Jehudah. R. Jose, however, permits this to be done. It must not be slaughtered even for a company of a hundred persons, if each one of them cannot eat as his share at least a piece the size of an olive. Neither may a company for the purpose of eating the paschal sacrifice be formed of women, with slaves and minors.

GEMARA: The rabbis taught: Whence do we know the paschal sacrifice must not be slaughtered for a single individual? because it is written [Deut. xvi. 5]: "Thou mayest not slay the passover within any one," etc., and this signifies, that it must not be slaughtered for one (person). Such is the dictum of R. Jehudah. R. Jose, however, said: "If one can eat the entire sacrifice it may be slaughtered for him; but if ten cannot eat it up entirely, then it must not even be slaughtered for the ten." How then will R. Jose explain the term "any one" in the passage quoted? He will apply it to the dictum of R. Simeon as follows: We have learned in a Boraitha: R. Simeon said: "Whence do we know that one who slaughtered a paschal sacrifice on an altar of his own (not in the Temple) is guilty of transgressing a negative commandment? This is demonstrated by the passage: "Thou mayest not slay the passover in any one of thy gates." Shall we assume, that even in the interim between the destruction of the first Temple and the erection of the second, when it was allowed to slaughter the paschal sacrifice outside of the Temple, one would also be culpable if he slaughtered it on his own altar? (Nay; for) to that end it is written, "in any one of thy gates," which signifies that only when there was a common gate for all the Israelites this would constitute a transgression; but when there was not, no guilt was incurred.

R. Uqba bar Hinana of the city of Prishna propounded a contradictory question to Rabha: "How can R. Jehudah say, that the paschal sacrifice must not be slaughtered for a single individual—have we not learned in a Boraitha: For a woman

the first paschal sacrifice may be slaughtered individually; but in the case of the second sacrifice she must be counted in with a company; such is the decree of R. Jehudah ?

Rabha answered: "Do not read, 'may be slaughtered for her individually,' but 'for *them* separately,' which means that there were several women together." Rejoined R. Uqba: "But have we not learned in our Mishna that a company must not be formed of women, slaves, or minors, *i.e.*, of any of the three ?" and Rabha replied: "Nay; it means that a company must not be formed of the three together. It must not be formed of women and slaves, in order to prevent sin; not of slaves and minors, in order not to spoil the manners of the children."

R. Jacob said in the name of R. Johanan: A company should not be formed entirely of proselytes, because they are over-scrupulous and may cause the sacrifice to become invalid.

The rabbis taught: The paschal sacrifice, the eating of unleavened bread and of bitter herbs, are only obligatory on the first day of the Passover, but after that it is optional, and a man may or may not perform either. R. Simeon, however, said: "These duties are obligatory for men during the entire festival, but for women they are obligatory only on the first day ?"

To what does R. Simeon refer ? Shall we say to the paschal sacrifice—that may only be brought on the eve of the first day ? Hence we must assume that he refers to the eating of unleavened bread and bitter herbs ? Does not R. Simeon hold with the dictum of R. Eliezer to the effect that women are in duty bound to eat unleavened bread by biblical law; because it is written [Deut. xvi. 3]: "Thou shalt not eat therewith any leavened bread; seven days shalt thou eat therewith unleavened bread," etc., from which R. Eliezer infers that, as it is prohibited to eat leavened bread, it is obligatory to eat unleavened bread, and this rule applies to women also ? Therefore say, that the paschal sacrifice and eating of unleavened bread and bitter herbs are obligatory on the first day only, and optional thereafter; and R. Simeon said, that the paschal sacrifice on the first day is obligatory for men only, and women are exempt (because it is a positive commandment dependent upon its season).

MISHNA: A mourner (who is obliged to mourn for a near relative who is not yet interred) may eat of the paschal sacrifice at eve after having taken his legal bath, but must not eat of other holy sacrifices. One, however, who has only received informa-

tion of the decease of a near relative, or who has the bones of a deceased person exhumed (and removed) for him, may eat even of other holy sacrifices after having bathed. A Gentile proselyte, who was circumcised on the day before the Passover festival may, according to Beth Shammai, bathe himself, and eat in the evening of the paschal sacrifice. Beth Hillel, however, say: "One who has parted from the uncircumcised must be considered as one who has just parted from the grave." *

GEMARA: Why may a mourner eat of the paschal sacrifice? Because, while on the day of the decease of the relative the mourner is, according to biblical law, exempted from the performance of all religious duties, on the night of that day the Tana (of the Mishna) holds that he is exempt only by rabbinical law, and on account of rabbinical law they would not assume the responsibility of avoiding a commandment the non-observance of which is punishable with Kareth (being cut off). As for other holy (sacrifices) which do not involve such punishment, if not partaken of they held the rabbinical law to be effective.

"*Who has the bones of a deceased person exhumed,*" etc. Must not a man who exhumes the bones of a deceased person undergo the period of uncleanness for seven days and be sprinkled on the third and the seventh. Read in the Mishna, that a man is referred to who has the bones exhumed *for him*, and thus is only bound to mourn.

"*A Gentile proselyte, who was circumcised,*" etc. Said Rabba bar bar Hana in the name of R. Johanan: They differ only concerning a Gentile proselyte, for Beth Hillel hold that it might happen on the next year that the Gentile should be unclean, and say: "I will bathe and eat of the paschal sacrifice," thinking that having done so the preceding year he is allowed to do it also then, and not realizing that in the preceding year he had not yet been an Israelite and therefore not subject to uncleanness, while this year he is now an Israelite and is subject to the law of uncleanness. Beth Shammai, however, maintain that such a precautionary measure is not necessary. As for an Israelite, however, who had been circumcised on the day before the Passover, all agree that he may after bathing partake of the sacrifice and that the precautionary measure is in his case superfluous.

The same we have learned in a Boraitha in the name of R. Simeon ben Elazar.

* And is therefore unclean for seven days; hence he must not eat the paschal sacrifice.

CHAPTER IX.

REGULATIONS CONCERNING THE SECOND PASSOVER—THE PASSOVER AT THE EXODUS FROM EGYPT—CONCERNING CASES WHERE THE PASCHAL SACRIFICE HAD BECOME MIXED.

MISHNA: Persons who, in consequence of being (ritually) unclean or on a distant journey, did not observe the first Passover, must observe the second. Also such as have, either through error or compulsion, been prevented from observing the first, must observe the second Passover. Why, then, the verse [Numb. ix. 10]: "If any man whatever be unclean by reason of a dead body, or be on a distant journey"? In order to teach us, that in case of the neglect of the observance of the second Passover by them, they do *not* incur the penalty of Kareth (excision), but others do incur it.

GEMARA: It was taught: If a man was on a distant journey and the paschal sacrifice was slaughtered and the blood sprinkled for him also, R. Na'hman said that the offering is accepted for him, and he need not observe the second Passover; because the Merciful One had pity on him: but if he offered up a second Passover-sacrifice nevertheless, an additional blessing is bestowed upon him. R. Shesheth, however, said: "The offering is not accepted for him, even from the fact that the keeping of a second Passover has been provided for by the Law, as if he were unclean; hence the offering brought for the man is not even considered as brought at its proper time, and hence is of no account."

Said R. Na'hman: "I adduce my teaching from the Mishna itself; for it states, 'that persons who, in consequence of being unclean or on a distant journey, did not observe the first Passover,' implying thereby, that had they chosen to do so they could have observed the first Passover." Said R. Shesheth: "Then how can we account for the latter clause of the Mishna, which states, that such as have, either through error or compulsion, been prevented from observing the first; shall we assume that they could in this case also, had they chosen to do so, observe the first Passover, were they not prevented by compulsion? Therefore we

must say, that the latter case includes even one who intentionally neglected the observance of the first Passover, and he should observe the second. Thus also the first case, by stating, 'did not observe the first Passover,' includes mourners (who mourn for a dead relative that was not yet interred)."

The rabbis taught: "The following persons are obliged to observe a second Passover: Men and women afflicted with a running issue, men and women afflicted with sores, women suffering from their menstruation and such as had sexual intercourse with them during that time, women lying in, those that neglected the observance of the first Passover either through error or compulsion, those that neglected it intentionally, those that were unclean, and those who were on a distant journey. If all these are included, why does the verse mention only those that were unclean and on a distant journey? In order to exclude these from the penalty of Kareth."

This teaching of the rabbis coincides with the opinion of R. Na'hman to the effect that if a paschal sacrifice had been slaughtered for one who was on a distant journey it is favorably accepted.

Is a woman, then, obliged to bring a second Passover-offering? Have we not learned in a Boraitha: We might assume that the duty of offering the second Passover-sacrifice was only incumbent upon those who were unclean (through contact with a dead body) and upon those who were on a distant journey; whence do we know that men having a running issue, men afflicted with sores, and one who had sexual intercourse with a woman suffering from her menstruation are also included? To that end it is written [Numbers ix. 10]: "any man whatever." Thus we see that "man" is mentioned, but not woman? This presents no difficulty. According to R. Jose women are also bound to bring the second Passover-sacrifice, while according to R. Jehudah and R. Simeon women need not.

The rabbis taught: "Kareth is the penalty for the non-observance of the first Passover as well as of the second." Such is the dictum of Rabbi. R. Nathan, however, said that punishment is incurred only for the non-observance of the first, but not of the second Passover. R. Hananiah bar Aqabia said: "Even for the non-observance of the first Passover the penalty is not incurred unless the second Passover is also not observed."

The opinions of all three are in accordance with their individual theories, as we have learned in the following Boraitha:

If a proselyte had become converted (to the Judaic faith) in the interim between the two Passovers, or if a minor had attained his majority during that time, Rabbi holds that they should observe the second Passover. R. Nathan, however, says that only one who was obliged to observe the first Passover should observe the second; but not one who was not in duty bound to observe the first. Wherein do these two sages differ? Rabbi holds that the two Passovers are separate festivals, while R. Nathan maintains that the second is only supplementary to the first but not a substitute therefor; *i.e.*, the observance of the second Passover does not absolve a man from the punishment incurred for the neglect of the first; but R. Hananiah bar Aqabia states that the second Passover is merely a substitute for the first, and its observance exempts a man from the penalty incurred through non-observance of the first. All three sages adduced their teachings from the one passage, viz. [Numb. ix. 13]: "But the man that is clean, and is not on a journey." Rabbi holds that the following words, "and forbeareth to prepare the Passover-lamb, even that same shall be cut off from his people," refer to the first Passover, and the sentence, "because the offering of the Lord hath he not brought at its appointed season, his sin shall that man bear," refers to the observance of the second Passover, and instead of "because" (Hebrew *Kee**) it should read "or." R. Nathan, however, holds to the literal text of the verse, and says that it should read, "because the offering," etc. R. Hananiah bar Aqabia says that instead of "because" it should read "if," and then the sentence will read, "if he hath not brought," etc.

Thus the conclusion is as follows: If a man had intentionally neglected the first and second Passover, all agree, that he incurs the penalty of Kareth. If he had inadvertently neglected both, all agree, that he is not culpable. If he had neglected the first intentionally and the second unintentionally, he is, according to Rabbi and R. Nathan, culpable, and according to R. Hananiah absolved. If he had neglected the first unintentionally and the second intentionally, he is, according to Rabbi, culpable, but according to R. Nathan and R. Hananiah bar Aqabia he is absolved.

MISHNA: What must be considered a "distant" journey?

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* The Hebrew word "*Kee*" can be translated in four different ways; namely, "because," "therefore," "perhaps," and "if."

According to R. Aqiba, it is from Moodayim and beyond, and from all places around Jerusalem, situated at the same distance. R. Eliezer said: "Any distance beyond the outside of the threshold of the Temple-court should be considered as coming in under that term." Said R. Jose to him: "It was to confirm this (Rabbi's statement) that it is (even to this day) directed that a dot must be placed over the Heh in the word Rahuqa'h (meaning 'distant'), to indicate that it is not necessary that a person should actually be on a distant road, but that he is considered distant so long as he has not passed beyond the threshold of the court of the Temple."

GEMARA: Said Ula: "From Moodayim* to Jerusalem is a distance of fifteen miles," and he is in accordance with the opinion of Rabba bar bar Hana, who said in the name of R. Johanan: "What is the distance that a man can traverse in one day? Ten Parsaoth.† From the time the morning star appears until sunrise five miles, from sunset until the stars appear five miles, and from sunrise until noon fifteen miles, and from noon until sunset fifteen miles."

Ula's reason for calling fifteen miles a distant journey is because he holds, that if a man were in Moodayim after sunrise he could not reach the court of the Temple in time to witness the slaughtering of the paschal offering.

The Master said: "From the time the morning star appears until sunrise a man can traverse five miles." Whence does he adduce this? From the passage [Gen. xix. 15]: "And as the morning dawn arose, the angels urged Lot," etc.; and further, it is written [ibid. 23]: "The sun rose over the earth, when Lot entered into Zoar"; and R. Hanina said: "I saw the distance between Sodom and Zoar, and found it to be five miles."

Thus it is said that Ula calls a journey distant if the court of the Temple cannot be reached in time for the slaughtering on the same day, and R. Jehudah says that the journey is distant if the court of the Temple cannot be reached in time for the eating of the paschal lamb on the same day. Said Rabba to Ula: "According to both thine and R. Jehudah's opinion there is a question. According to thy own opinion, for one who had become unclean through a reptile the paschal offering may be

* The place Moodayim is frequently mentioned in Josephus and the history of the Maccabees under the name of Modain.

† Parsaoth is plural for Parsah, which is the equivalent of four miles, called in Hebrew "Milin."

slaughtered and the blood sprinkled notwithstanding the fact that he will not become clean until evening and hence cannot enter the Temple, and still thou sayest that if a man cannot reach the court of the Temple in time for the slaughtering, the paschal sacrifice should not be slaughtered for him. Now, according to R. Jehudah, who states that if a man can reach the court of the Temple in time for eating, the paschal sacrifice may be slaughtered for him, why does he hold that the paschal offering must not be slaughtered for one who became unclean through a reptile? A man in such a condition becomes clean and may enter the Temple after sunset, and at that time the pashal lamb is eaten."

Replied Ula: "There is no difficulty, neither according to my opinion nor according to R. Jehudah's. According to my opinion there is no difficulty, for the law concerning a man on a distant journey applies only to a (ritually) clean man but not to one that is unclean; and according to R. Jehudah's opinion there is also no difficulty, for one that had become unclean through contact with a dead reptile was excluded by the Law itself, as it is written [Numbers ix. 10]: 'If any man whatever should become unclean by reason of a dead body,' etc., and we will know that a man in such a condition, even if his seventh day of uncleanness fall on the eve of Passover, must postpone his Passover-sacrifice until the second sacrifice; and is this not equivalent to a man who had become unclean through a reptile on the eve of Passover?"

The rabbis taught: If a man was situated on the further side of Moodayim, and while he could not reach the court of the Temple on foot could reach it by means of a mule (or conveyance), we might assume that if he did *not* come to Jerusalem to offer his sacrifice he is guilty; hence the passage says that only such as are not on a distant journey are culpable if they neglect the Passover, but the man under discussion *was* on a distant journey. How is it, however, if the man was this side of Moodayim, towards Jerusalem, and could reach it under ordinary circumstances, but was prevented by the obstruction caused by camels and conveyances? We might assume that such a man does not incur punishment; hence it is written, "But the man that is not on a distant journey," and such a man cannot truly be considered on a distant journey.

Rabha said: "The entire world measures six thousand Parsaoth (24,000 miles), and the depth of the sky is one thousand

Parsaoth." One of these assertions is based upon tradition and the other is a reasonable conclusion, and Rabha is in accord with Rabba bar bar Hana, who said in the name of R. Johanan that the average man can walk ten Parsaoth in one day; hence if the sun traverses 6,000 Parsaoth in one day and a man can traverse 1¼ Parsaoth between dawn and sunrise, which is a sixth of the distance he can traverse from sunrise to sunset, the sun takes one-sixth of the time to pierce the sky that it takes to traverse during the day, which is 1,000 Parsaoth, hence the sky must be 1,000 Parsaoth deep.

An objection was made: The disciples of Elijah taught: R. Nathan said: "The whole earth stands under one star, and proof is, that wherever a man is situated he sees the same star; and there being so many stars, the sky must necessarily be more than 1,000 Parsaoth deep." This objection was not answered.

The rabbis taught: "The sages of the Israelites assert, that the ring (wheel) in which the different constellations * are situated is fixed, and every month one of the constellations appears and then recedes, making room for another, while the Gentile sages declare that the wheel is constantly turning and every month brings forth a different constellation, which is, however, fixed in its place in the wheel." Said Rabbi (in order to contradict the Gentile sages): "We have never found the Bull in the south nor the Scorpion in the north, and were it as the Gentile sages declare, the position of the constellations would constantly change."

The sages of the Israelites said: "During the day the sun moves underneath the sky and at night recedes beyond the sky," while the Gentile sages say: "During the day the sun moves underneath the sky and at night it recedes beneath the earth."

Said Rabbi: "The assertion of the Gentile sages seems to be the more reasonable, for during the day the springs are all cold and at night they are all warm."

We have learned in a Boraitha: R. Nathan said: "In the summer time the sun moves in the zenith of the sky, hence all

* According to the sages there were twelve different constellations, one of which appeared every month, and they were: for the month of Nissan, the Ram; for the month of Iyar, the Bull; for Sivan, the Twins; for Tamuz, the Crab; for Ab, the Lion; for Elul, the Virgin; for Tishri, the Scales; for Cheshvan, the Scorpion; for Kislev, the Archer; for Tebeth, the Goat; for Shebat, the Water-bearer; for Adar, the Fishes.

the earth is warm and the springs are cool; but in the winter the sun moves in the base of the skies, hence all the earth is cold and the springs are warm."

The rabbis taught: The sun moves in four different paths. During the months of Nissan, Iyar, and Sivan it moves over the top of the mountains, in order to melt the snow. During Tamuz, Ab, and Elul it moves in the cultivated portions of the earth, in order to ripen the fruit. In Tishri, Mar-Cheshvan, and Kislev it moves over the seas, in order to dry up the lakes; and in Tebeth, Shebat, and Adar it moves in the desert, in order not to parch the seed sown.

"*R. Eliezer said: 'Any distance,'*" etc. Even if the man can enter, is he not told to do so, or given the alternative of incurring the penalty of Kareth? Have we not learned in a Boraitha, that an uncircumcised Israelite, if he does not partake of the paschal sacrifice, incurs the penalty of excision; for he is told to be circumcised, and then partake of the sacrifice? Such is the dictum of R. Eliezer. Rejoined Abayi: "A ritually clean man is exempt by law if he is on a distant journey, and outside of the Temple is considered a distant journey; but in the case of an unclean person this privilege is not granted; and he is equal to an unclean person." Rabha, however, said: Concerning this there is a diversity of opinion among different Tanaim, as we have learned in a Boraitha: R. Eliezer said: The Scriptures mention a distant journey in the case of the paschal sacrifice and in the case of second tithes, and as in the latter instance if a man is outside of the Holy Land he is considered as being on a distant journey, so in the former case if a man is outside of the place where he is allowed to eat the paschal offering, *i.e.*, beyond the walls of Jerusalem, he is considered as being on a distant journey. R. Jose the son of R. Jehudah, however, said in the name of R. Eliezer, that a man is not considered as being on a distant journey if he is outside of the place where he is allowed to *eat* the paschal sacrifice, but only if he is outside of the place where he should *prepare* it, and that is beyond the walls of the Temple.

According to whose opinion is the statement of R. Itz'hak the son of R. Joseph to the effect that the paschal sacrifice must be brought in accordance with the condition of the majority of the people inside of the Temple; *i.e.*, if the majority of the men on the inside of the Temple-court were in a state of defilement although the majority of the entire community standing outside

of the Temple were undefiled, the paschal sacrifice must nevertheless be brought in a state of defilement (because those standing on the outside are considered as being on a distant journey)? This is in accordance with the opinion of R. Jose bar Jehudah, quoting R. Eliezer.

"*R. Jose said: 'It was to confirm this,'*" etc. We have learned in a Boraitha: R. Jose the Galilean said: The term "distant journey," as mentioned in the Scriptures, would lead us to presume that at least a three or four days' journey is meant; but as it is written further [Numb. ix. 13], "if he was not on a distant journey," we may conclude that as soon as a man is outside of the threshold of the court he is considered as being on a distant journey.

MISHNA: What is the difference between the first and second Passover? They differ, that during the (seven days of the) first Passover no leaven of any kind may be seen or even found in the house, while in the second both leavened and unleavened articles may be used in the house. At the eating of the paschal offering on the first Passover, the "Hallel" prayer must be recited but not at the eating on the second Passover. During the time, however, that the offering is sacrificed, either on the first or on the second Passover, the "Hallel" must be recited; the sacrifices on both Passovers must be roasted and eaten with unleavened cakes and bitter herbs, and the sacrifice of both supersedes the due observance of the Sabbath.

GEMARA: The rabbis taught: It is written [Numb. ix. 12]: "According to the whole ordinance of the Passover-lamb shall they prepare it." Thus this passage refers to the Passover-lamb itself; but whence do we know that its accessories are to be observed in the same manner? To that end it is written [ibid. 11]: "With unleavened bread and bitter herbs shall they eat it." Shall we assume, that all other ordinances that are not directly accessory to the sacrifice should also be observed? For that purpose it is also written [ibid. 12]: "No bone shall they break on *it*"; and as this behest concerns only the sacrifice when it has been slaughtered, so should all other commands be observed only in so far as they concern the paschal lamb itself.

Issi ben Jehudah said: "(All these explanations are unnecessary, as) the words, 'shall they prepare *it*,' signify that the behest concerns only that which belongs to the preparation of the sacrifice" (when it was slaughtered).

The rabbis taught: From the passage, "According to the

whole ordinance of the Passover-lamb shall they prepare it," we might infer that the laws ordaining against leaven being seen or found in the house should also be effective on the second Passover; to that end the single ordinance providing for its being eaten with unleavened cakes and bitter herbs is quoted, thus demonstrating that it is only in this respect that the second Passover should be observed in conformity with the first. Thus we see that so far the "whole ordinance" of the Passover-lamb was made up of the positive commandment, but whence do we derive a negative commandment on the "whole ordinance"? For that purpose it is written [Numb. ix. 12]: "They shall leave none of it until morning." Still, this negative commandment is virtually contained in the positive commandment, "they shall eat *it*," or "they shall burn what is left over." Whence do we derive, however, an independent negative commandment? The behest, "No bone shall they break on it," furnishes that negative commandment. From the particularization of this whole ordinance of the Passover we find that concerning the Passover-lamb both the first and second have in common a positive commandment, a negative dependent on or contained in the positive, and an independent negative, and thus the rule may be derived that only such behests are to be carried out on the second Passover as are covered by the three kinds of commandments on both Passovers.

What other positive commandment may be added which is analogous to the one ordaining that the paschal lamb should be eaten with unleavened cakes and bitter herbs? The one ordering that it should be roasted with fire. Which commandments, however, are excluded by the particularization? The removal of the leaven. Perhaps the contrary should be done, *i.e.*, the removal of leaven should be added to the positive and the roasting with fire should be excluded? Nay; a commandment pertaining to the sacrifice itself should be given preference. What other negative commandment contained in a positive should be added to the one, "They shall leave none of it until morning"? The negative commandment, "They shall not carry aught of the meat outside." Which negative commandment, dependent on a positive, is excluded? The one ordaining, "It shall not be seen nor found." Perhaps the contrary should be done? *i.e.*, "they shall leave none of it" should be excluded, and "it shall not be seen nor found" included? Nay; a commandment pertaining to the sacrifice itself should be given preference.

Which independent negative commandment should be added to the one, "No bone shall they break on it"? The negative commandment, "Ye shall not eat of it raw." And which should be excluded? The one stating, "Ye shall not offer up with leaven the blood of my sacrifice" [Exod. xxxiv. 35]. Perhaps the contrary should be done? Nay; a commandment bearing upon the sacrifice itself is given preference.

"*At the eating of the first paschal offering 'Hallel' should be recited, but not at the eating of the second,*" etc. Whence do we adduce this? Said R. Johanan in the name of R. Simeon ben Jehu Zadok: From the passage [Isaiah xxx. 29]: "Then shall ye have a song, as in the night when a festival is ushered in." Hence on the night which ushers in a festival "Hallel should be recited," but on the night of the second Passover, when no festival follows, the recital of "Hallel" is not necessary.

"*During the time the offering is sacrificed on both Passovers 'Hallel' should be recited.*" Why should this be done? Reason teaches us that; for will then the Israelites sacrifice the paschal lamb, hold the palm-branches in their hand, and not recite the "Hallel"?

"*The sacrifice of both supersedes the Sabbath.*" Whence we see that they supersede the Sabbath, but not uncleanness. We must say, therefore, that the Mishna is not in accordance with the opinion of R. Jehudah of the following Boraitha: "The second Passover supersedes the Sabbath, but not uncleanness. R. Jehudah, however, maintains, that it supersedes even uncleanness." What reason has the first Tana for his statement? He maintains, that if uncleanness was the cause of the postponement of the first Passover, should uncleanness on the second Passover be entirely disregarded? What is R. Jehudah's reason for his (own) opinion? He claims, that while the law requires a man to bring the paschal offering in a state of cleanness, still, if the man did not succeed to be undefiled, he may bring it in a state of defilement.

The rabbis taught: "Both the first and second Passover supersede the Sabbath. Both the first and second Passover supersede uncleanness. Both the first and second Passover require that the man who offers up the paschal lamb should remain in Jerusalem over night."

Thus we see, that concerning uncleanness the teaching of the rabbis coincides with the opinion of R. Jehudah. Shall we say,

that concerning the obligation of remaining over night the teaching of the rabbis also coincides with the opinion of R. Jehudah? Have we not learned in the following Boraitha: "R. Jehudah said: 'Whence do we know that the man bringing the second Passover is not required to remain over night in Jerusalem? From the passage [Deutr. xvi. 7]: "And thou shalt turn in the morning and go unto thy tents," while in the next verse it is written [ibid. 8]: "Six days shalt thou eat unleavened bread." Thus where unleavened bread is eaten for six days it is required that a man should remain over night, but where such is not the case it is not necessary.'" This constitutes a diversity of opinion between two Tanaim. One says that R. Jehudah requires the man to stay over night in Jerusalem when bringing the second paschal offering, while the other maintains that R. Jehudah does not.

MISHNA: When the paschal sacrifice was brought in a state of defilement, it must not be eaten by men or women having a running issue, by women in their ordinary period of menstruation, nor by lying-in women; if they have eaten thereof, however, they do not thereby incur the penalty of Kareth (excision). R. Eliezer considers these as also not subject to such punishment, if they have entered the sanctuary while in that condition.

GEMARA: The rabbis taught: Shall we assume, that if men or women having a running issue, or women in their ordinary menstrual period, or lying-in women partake of a paschal sacrifice brought in a state of defilement, they thereby incur the penalty of Kareth? To that end it is written [Levit. vii. 19]: "And as for the flesh, every one that is clean may eat thereof," and further, it is written [ibid. 20]: "But the person that eateth of the flesh of the sacrifice of peace-offering, that pertaineth to the Lord, having his uncleanness upon him, even that person shall be cut off from his people"; whence we infer, that if an unclean person eat of flesh which may be eaten only by clean persons, he incurs the penalty of Kareth, but if he ate flesh which was not fit for a clean person, *i.e.*, unclean flesh, he is not guilty. R. Eliezer said: "We might assume, that if persons having a running issue had intruded into the sanctuary while the sacrifice was being offered in a state of defilement, they thereby incur the penalty of Kareth; to that end it is written [Numb. v. 2]: 'Command the children of Israel, that they send out of the camp every leper, and every one that hath a running

issue, and whosoever is defiled by the dead,' whence we may infer, that only at the time when those defiled by the dead are sent out the lepers and those afflicted with a running issue should be sent out; but when those defiled by the dead are not sent out, as is the case during the offering of the paschal sacrifice, the lepers and those having a running issue are also allowed to remain."

R. Joseph propounded a question: "If those that have become defiled by means of a dead body had intruded into the sanctuary when the paschal sacrifice was brought in a state of defilement, shall we say that, as the court of the Temple was allowed them for the purpose of bringing the sacrifice, the sanctuary itself is also allowed them; or is only that which was explicitly allowed them rendered lawful for them to enter, but that which was not, must not be entered?"

Said Rabha: "The verse following the one quoted [Numb. v. 2] states again [ibid. 3]: 'To without the camp shall ye send them,' which means also outside of the court also; hence those who have been excluded from the court are guilty if they enter the Temple itself, but those who cannot be excluded from the court cannot be guilty if they enter the Temple itself."

R. Joseph propounded another question: "If those who have become defiled by means of a dead body have eaten of the pieces which are to be offered up on the altar, of a paschal sacrifice brought in a state of defilement, what is the law governing their case? Shall we say, that as the flesh was rendered lawful to be eaten, the pieces also became lawful, or was only that which was expressly allowed lawful, but that which was not expressly allowed, was not?"

Answered Rabha: "Let us see! Whence do we know that one can become guilty of eating unclean pieces in general? From the passage [Levit. vii. 20]: 'But the person that eateth of the flesh of the sacrifice of peace-offering, that pertaineth unto the Lord,' which means the pieces to be offered up on the altar. Now, then, if the uncleanness of the flesh itself is no longer considered, why should that of the pieces remain?"

MISHNA: What is the difference between the Passover as celebrated (by the Israelites while) in Egypt, and that observed by later generations? The Egyptian Passover-sacrifice was specially ordered to be purchased on the 10th (of Nissan), and it was required that its blood should be sprinkled with a bunch of hyssop on the lintel and on the two sideposts of the door; also

that it should be eaten with unleavened bread on the first night of Passover in a hasty manner; while in later generations the law of the Passover applies for the entire seven days of the festival.

GEMARA: Whence do we know all this? From what is written [Exod. xii. 3]: "Speak ye unto all the congrgegation of Israel, saying, On the tenth day of *this* month they shall take to themselves," etc., whence we infer that only on the tenth of *this* month, but not of the other months, in later generations shall this be done, and the same rule applies to all other laws concerning the Passover.

It is written, however [Exod. xiii. 5]: "That thou shalt perform this service in *this* month!" We adduce therefrom that in later generations each recurring month should be in all respects alike?

What significance has the passage [ibid. xii. 6]: "And ye shall keep it until the fourteenth day of *this* month"? This verse implies that the second Passover (which is similar to the Egyptian in being kept only one day) does not require four days of preliminary investigation the same as the other sacrifices.

We find another passage, however, stating [ibid. xii. 8]: "And they shall eat the flesh in *that* night," and we surely cannot say that only in that night should flesh be eaten but not in the recurring nights of other generations! This passage is required for the comparison by analogy brought by R. Elazar ben Azariah and R. Aqiba in Tract Berachoth (Benedictions).

If the main argument is centred upon the term "in *this*," why should not the same argument be applied to the passage [ibid. xii. 48]: "No uncircumcised person shall eat thereof"? He may not eat *thereof*, but why not of others? This cannot be; for the Passover laws must be observed, as we have learned, in every recurring month alike. By "thereof" in the quoted passage is merely meant the paschal lamb, but even an uncircumcised person may partake of unleavened bread and bitter herbs.

We find it written again, however [ibid. 43]: "No stranger shall eat *thereof*." We could not say, that only on that particular Passover was he not allowed to eat it but later he was, on account of the teaching previously mentioned. The term "thereof" signifies in this case that an apostate is prevented from eating the Passover-sacrifice *only* through his apostasy, but a priest who had become an apostate is not prevented thereby from eating the heave-offering. Both cases, that of the uncir-

cumcised and that of the stranger, require illustration in the Scriptures; for if the case of the uncircumcised only were mentioned, we might have assumed, that it would merely have been a disgraceful act for an Israelite who was uncircumcised to eat of the paschal lamb but that a stranger was allowed to partake thereof. If the stranger only were mentioned, we might say, that a stranger who would not eat the Passover-sacrifice as a religious duty, not having been commanded to do so, should be prohibited, but an uncircumcised Israelite whose duty it is to eat thereof should be permitted to do so. For that reason both cases are mentioned.

"*In a hasty manner,*" etc. Whence do we know this? From the passage [Exod. xii. 11]: "Ye shall eat *it* in haste," and "*it*" signifies the paschal sacrifice, but not anything else.

"*In later generations the law of Passover applies to the entire seven days,*" etc. What is meant by the law applies to the entire seven days? Surely not the paschal sacrifice! It must be then the law concerning leaven, and shall we infer therefrom, that at the Egyptian Passover it was only prohibited to eat leaven on that one night but during the day it was permitted? Have we not learned in a Boraitha: R. Jose the Galilean said: Whence do we know that on the Egyptian Passover they were not allowed to eat leaven but on one day? Because it is written [Exod. xiii. 3 and 4]: "No leavened bread shall be eaten. This day go ye out in the month of Abib," which conjoined would read: "No leavened bread shall be eaten *this day.*" Thus the Mishna means to say, that the paschal lamb was offered up on the first night only of the Egyptian Passover and should only be brought on the first night of the Passover of later generations, but leaven which was not eaten but on the first day of the Egyptian Passover should not be eaten for the seven days of the Passover of later generations.

MISHNA: R. Jehoshua said: "I once heard (of my teachers), that an animal which was substituted for another animal intended for the paschal sacrifice may be offered up; and I have also heard, that it must not be offered; and I am unable to explain this." Said R. Aqiba: "I will explain it; if a paschal offering had been lost and subsequently found, before the animal intended to replace it had been slaughtered, it must be left to graze until it contracts a legal blemish, when it must be sold and peace-offerings purchased with the proceeds of the sale; so also must it be done with the animal substituted for it (and which had

become lost): if it was found after the other animal had already been slaughtered, it may be sacrificed as a peace-offering, and this applies also to any animal substituted for it."

GEMARA: Why does R. Jehoshua say, "I have heard that an animal which was substituted," etc.? Why does he not apply his statement to the paschal sacrifice direct, and say, that it may be offered up and it may not? He intends to impart to us the information, that it may even happen with a substitute for a paschal sacrifice that it may not be offered up.

The entire case presents a diversity of opinion among Tanaim, as we have learned: If a paschal sacrifice had been lost, and found before the animal intended to replace it had been slaughtered, it must be left to graze; but if the substitute had already been slaughtered, the original may be offered up as a peace-offering. R. Eliezer, however, said (that it does not depend upon the slaughter itself but upon the time of the slaughtering): If the paschal sacrifice was lost, and was found in the forenoon, it must be allowed to graze, but if found in the afternoon, even before the paschal sacrifice was slaughtered, it may then and there be offered up as a peace-offering.

"*So also must it be done with the animal substituted for*," etc. Said Rabha: When is this case? If the original was found before the sacrifice had been slaughtered and had been exchanged for another animal at the same time; but if it was found *before* and was exchanged after that, the substitute may be offered up as a peace-offering. Why is this so? Because the slaughtering sanctifies the animal which is substituted at the time when it may still be killed; but an animal which is exchanged after the slaughter, not being suitable for a paschal sacrifice, cannot be slaughtered.

Abayi objected: We have learned in a Boraitha, that the reason it is written, "if *he* offer a sheep or a goat," is to give us the additional information that, if a substitute of a paschal sacrifice had been found after the Passover, it may forthwith be offered up as a peace-offering. Shall we assume, that the same is the case if it was found before the Passover? To that end it says "he," which refers to the sacrifice alone, but not to the substitute. What is meant by "if the substitute was found before the Passover"? Shall we assume, that the paschal sacrifice itself was found before the substitute was slaughtered and it was exchanged for another before the substitute was slaughtered? This is self-evident. Then for what purpose is the verse needed?

Therefore we must assume, that it was found before the substitute was slaughtered and exchanged afterwards, and still it may not be offered up as a peace-offering! The objection to Rabha is not replied to.

MISHNA: If a person had set apart or selected as a paschal offering a she-goat or a ewe-lamb, or a male two years old, they must be left to graze until they contract a legal blemish; they must then be sold,* and the proceeds turned over to the fund of voluntary burnt-offerings. If a person who had selected his paschal offering die (in the interim before it is sacrificed), his son cannot bring it as a paschal offering, but must bring it as a peace-offering.

GEMARA: R. Huna the son of R. Jehoshua said: From this Mishna we can infer three things: Firstly, that although a (living) thing is not suitable for consecration, the moment it is set apart for a consecrated purpose it is rejected for any other use; secondly, that it is not absolutely necessary that a thing must be suitable for a consecrated purpose in order eventually to become rejected, but that it may become rejected even if it was at no time suitable for consecration; thirdly, that even the proceeds of the sale of a thing not suitable for a paschal offering is also rejected as a paschal sacrifice (because the Mishna itself states, that the proceeds derived from the sale of the animal which was left to graze until it contracted a blemish must be used for a peace-offering and *not* for a paschal sacrifice).

"*If a person had set apart,*" etc. The rabbis taught: "If a person had set apart a paschal offering and had died, his son may, provided he was one of the number appointed to eat it, bring it in his stead; but if he was not among the number appointed, he must not offer it as a paschal sacrifice but as a peace-offering on the 16th day of Nissan." On the 16th day and not on the 15th? Why so? Because vow and voluntary offerings must not be sacrificed on a festival. Such is the opinion of the Tana of the preceding teaching.

Now let us see! When did the father die? If he died on the forenoon of the day preceding the Passover, how can the son offer it in his stead? Is he not a mourner whose dead is not yet interred? Then he must have died on the afternoon of that day. If that was the case, then, as soon as the noon had

* According to the Mishna which is contained in the original Talmud, the proceeds should be devoted to peace-offerings, and the commentary Tosphat Yom Tab said such should be the right interpretation.

passed, the sacrifice was made a paschal offering in itself; how then may the son, if he was not among the number appointed to eat it, bring it as a peace-offering? Said Rabhina: "The sacrifice was set apart and the father died on the afternoon of that day. If the son was among the number appointed to eat it, the duty to sacrifice the offering superseded that of mourning for the deceased, hence he may offer it up as a paschal sacrifice. If he was not among the number, however, he may sacrifice it as a peace-offering, because at noon of that day the sacrifice was not yet a paschal offering."

MISHNA: If a paschal sacrifice had become mixed with other animals intended as sacrifices, they must all be left to graze until they contract a legal blemish; they are then to be sold, and the owner must bring, with the price obtained for the finest animal among them, another sacrifice of each kind of offering (with which it was mixed), and the eventual loss must be defrayed from the private means of the owner. A paschal offering which had become mixed with first-born (of animals) may, according to R. Simeon, be eaten by an assembly of priests.

GEMARA: According to R. Simeon, who holds that a paschal offering may be eaten by an assembly of priests if it had become mixed with first-born (of animals), the following complication might arise: A paschal offering must be eaten only on one night and the remainder burned in the morning; the sacrifices of the first-born may, however, be eaten on two nights and one day; now, if the priests should mistake first-born sacrifices for paschal offerings, they will eat of them only one night and burn the remainder in the morning, thus wantonly spoiling a consecrated thing to commence with.

R. Simeon holds in accordance with his individual theory (in Tract Zebahim), that this may be done. And according to the sages, what should be done with a paschal offering that became mixed with first-born (of animals)? Said Rabba: They must all be left to graze until they contract a legal blemish, then the owner of the paschal offering must bring a fat cow and should say: "Wherever the paschal sacrifice may be, let it be exchanged for this, and then sacrifice it as a peace-offering." The priests may then eat all the first-born animals which have a blemish as usual.

MISHNA: If a company have lost their paschal sacrifice and say to some person: "Go, seek and slaughter it for us," and he went, found, and slaughtered it, while the company had

also slaughtered one—if the man had slaughtered his sacrifice first, he shall eat of it and the others shall join with him in eating; but if they had slaughtered their sacrifice first, they shall eat of theirs and he of his; if it is uncertain which had been slaughtered first or if both had been slaughtered at the same time, then shall he eat of his paschal offering, of which the others are not permitted to partake, and theirs must be burned: they are not obliged, however, to observe a second Passover.

If he had said to them: "Should I stay away long, go ye and slaughter a paschal sacrifice for me," and he went, found, and slaughtered the lost paschal sacrifice while the others had also slaughtered one—if theirs had been slaughtered first, they shall eat it and he may eat it with them; but if his had been slaughtered first, he shall eat of his and they shall eat of theirs; if it be uncertain which had been slaughtered first or if both had been slaughtered at the same time, then they may eat theirs, and he is not permitted to eat with them; and his sacrifice must be burned, but he is not obliged to observe a second Passover.

If the man said to them: "Slaughter a paschal offering for me," and they had said to him: "Seek and slaughter for us our lost sacrifice," they should all eat of that which had been slaughtered first; if it is uncertain which had been slaughtered first, then both must be burned; but if there was no express agreement between all the parties, they are not to be considered as at all connected with each other (and each should eat the sacrifice separately).

When the paschal sacrifices of two companies had become mixed, each company should take one of the animals and a member of each company should go to the other, and each company should address the member of the other thus: "If this paschal offering be ours, we withdraw from thy company, and be thou numbered with us; but if it belong to thy company, we withdraw from ours and will be numbered with thee." Thus shall five companies of five members each, or ten companies of ten members each, act; namely, one member of each company shall join with him one of another company, and shall thus address him.

When a paschal offering of two individuals has become mixed, each shall take one of the animals to himself and invite a person from the street (a stranger) to eat it with him; then they should go to each other and thus address each other's guest: "If this sacrifice is mine, withdraw from this and be

numbered with me; but if it is thine, then I withdraw from mine and will be numbered with thee."

GEMARA: The rabbis taught: If there was an express mutual agreement between the company and the man, they should all eat of that which was slaughtered first; but if neither said anything to the other, they are not considered as at all connected with each other. Whence the sages adduced that silence is beneficial to the wise, and so much the more to the foolish, as it is written [Proverbs xvii. 28]: "Even a fool, when he keepeth silence, is counted wise."

CHAPTER X.

REGULATIONS CONCERNING THE MEAL ON THE EVE OF PASSOVER AND THE FOUR CUPS OF WINE TO BE DRUNK WITH THE MEAL.

MISHNA: On the eve of any Passover it is not lawful for a person to eat anything from the time of Min'hah (afternoon prayer) until after dusk. Even the meanest in Israel shall not eat until they have arranged themselves in proper order at ease round the able; nor shall a person have less than four cups of wine, even if they must be given him from the funds devoted to the charitable support of the very poor.

GEMARA: Does the law (in the first clause of the Mishna) apply only to the eve of Passover? is it not unlawful to eat aught on the eve of the Sabbath or any other festival from the time of Min'hah until after dark, as we have learned in the following Boraitha: A person must not eat aught on the eve of Sabbath or of a festival from the time of Min'hah on, in order that the entry of the Sabbath or the festival may find him in condition to relish a meal? Such is the decree of R. Jehudah; R. Jose, however, said: "One may eat continually until it becomes dark."

Said R. Huna: "Our Mishna is even in accordance with the opinion of R. Jose, who says that one may only eat continually on the eve of Sabbath or of any other festival until dark, but on the eve of Passover, when, as soon as the night of the Passover commences, unleavened bread must be eaten, he also admits that nothing should be eaten from the time of Min'hah until dark."

We have learned in a Boraitha: If a meal was in progress on the eve of Sabbath, and before it was finished the Sabbath was ushered in, the table must be cleared off and then reset, the Sabbath benediction made, and then the meal may be continued, in order to demonstrate that the Sabbath had set in. Such is the decree of R. Jehudah; but R. Jose states that this is not necessary.

"It once happened that R. Simeon ben Gamaliel, R. Jehudah,

and R. Jose were sitting on the eve of Sabbath and partaking of a meal in the city of Achu, and when the Sabbath was about to set in, R. Simeon ben Gamaliel said to R. Jose the Great: "Wouldst thou desire that we clear off the table, and act in conformity with the opinion of our colleague, R. Jehudah?" Replied R. Jose: "Ordinarily thou wouldst favor my decrees in preference to those of R. Jehudah, and now thou favorest, in his presence, his decree in preference to mine. 'Will he even do violence to the queen before me in the house?'" [Esther vii. 8]. Rejoined R. Simeon ben Gamaliel: "True! Let us rather not interrupt the meal, for if the disciples should observe this, they might establish the ordinance for future generations." It was said that they did not leave their places until it was decided that the Halakha should prevail according to R. Jose's opinion.

R. Jehudah said in the name of Samuel: "The Halakha does not prevail either according to R. Jehudah or R. Jose; for if a meal was in progress on the eve of Sabbath, when Sabbath set in they should change the table-cloth as a sign and then recite the Kiddush (Sabbath benediction)." But this is not so! For did not R. Ta'hlipha bar Ab. Dimi say in the name of Samuel, that in the same manner as a meal must be interrupted on account of the Kiddush, so must it also be interrupted on account of the Habdalah (the benediction recited at the close of the Sabbath). Must we not assume that by interruption is meant clearing away of the table entirely? Nay; by interruption is meant, that the table-cloth should be changed.

It once happened that Rabba bar R. Huna came to the house of the Exilarch, and a small table was set before him; so he covered the table with a cloth and recited the Kiddush. We also learned in a Boraitha: "A table must not be brought for each guest separately unless the Kiddush had already been recited (by the head of the household); but if a table had been set before him before the Kiddush had been recited, then the guest should cover the table set before him with a cloth and himself pronounce that benediction."

"Those that heard the Kiddush pronounced in the synagogue," said Rabh, "need not recite it at their homes, but should merely pronounce the customary benediction over wine"; but Samuel said: "They have not acquitted themselves of the duty of reciting the Kiddush."

According to Rabh, then, why should a man recite the Kid-

dush at home? In order to give the household an opportunity to hear it, and according to Samuel, for what purpose should the Kiddush be recited in the synagogue? In order to afford the guests who eat, drink, and sleep in the synagogues an opportunity to hear it. Samuel thus holds to his theory, that the duty of hearing the Kiddush recited can be acquitted only in the place where the person takes his meals. We might suppose, therefore, that Samuel's opinion refers only to different houses; *i.e.*, if a person hears the Kiddush recited in one house he should not eat in another, but that it makes no difference as to rooms in one house, whereupon R. Anan bar Ta'hlipha said to the schoolmen: "I was several times in the presence of Samuel when he was in the attic of his house, and I observed that he did not recite the Kiddush until he went below."

R. Huna also opines, that the Kiddush must be recited only in the place where the meal is taken; for it once happened that after R. Huna had recited the Kiddush, the light went out in the room, and he ordered that the vessels containing the food should be taken into the wedding-room of his son Rabba, where the lights were still burning, and after again reciting the Kiddush he sat down to his meal.

Rabba also holds that the Kiddush must be recited only in the place where the meal is taken; for Abayi said: "When I was at Master's house, while he recited the Kiddush (prayer) he would say to the guests: 'Partake of something before ye go to your houses, for should ye come home and find the lights gone out ye will not be able to recite the Kiddush in your homes, and thus ye will not acquit yourselves of the duty unless ye eat something where the Kiddush was recited.'"

R. Johanan, however, said: "One who heard the Kiddush in the synagogue has not only discharged the duty of the Kiddush but need not even pronounce a benediction over the wine which he might drink at home."

R. Johanan holds to his own theory; for R. Hanan bar Abayi said in the name of R. Padath, quoting R. Johanan: "Whether the wine was changed or whether the places were changed, it is not necessary that another benediction be made."

An objection was made: "We have learned in a Boraitha, that if the places were changed another benediction is necessary; but if the wine was changed it is not!" The objection is not answered.

R. Idi bar Abin sat in the presence of R. Hisda, and the latter said in the name of R. Huna: "The teaching, that when places are changed another benediction must be made, refers to a case of where one went from one house to another; but if he only went from one room to another in the same house, another benediction is not necessary." Said R. Idi to him: "We have learned in a Boraitha, from the disciples of R. Hinaq, a teaching identical with thine." [Would then R. Huna say in his own name that which is taught in a Boraitha? R. Huna had not heard of that Boraitha.]

R. Hisda sat, and said upon his own authority: "The teaching, that if places were changed another benediction must be made, refers to such objects as require a benediction only before consumption; but if the objects were such as require also a benediction after consumption, even if one went from one house to another, he need not make another benediction, because it is considered as a continuous meal." R. Shesheth, however, said: "In either case another benediction is necessary."

We have learned in a Boraitha in support of R. Hisda: "If a company was sitting and drinking wine, then left their places and returned, they need not make another benediction."

The rabbis taught: "If a company were sitting at a meal, and during the course of the meal Sabbath had set in, a cup of wine is brought to one of the company, who recites the Kiddush, and another one pronounces the final benediction at the close of the meal over that cup, thus interrupting the meal. Such is the decree of R. Jehudah. R. Jose, however, said: They may continue to eat until they finish, or until it becomes dark, and then the first cup of wine brought is used for the benediction at the conclusion of the meal. The next cup is then used for the recital of the Kiddush."

Why are two cups of wine required? Cannot the two benedictions be pronounced over the one cup? Said R. Huna in the name of R. Shesheth: "Two benedictions must not be made over one cup." Why so? Said R. Na'hman bar Itz'hak: "Religious duties are not to be bunched." Must this indeed not be done? Have we not learned in a Boraitha, that when one enters his house at the close of Sabbath, he pronounces a benediction over wine, light, spices, and then the benediction of the Habdalah over one cup, and if he has not another cup of wine in his house he may leave that cup until after he has had his evening meal, and then recite the benediction after the meal

over the same cup of wine? Where a man has not another cup of wine, it is different.

If a festival follow a Sabbath, a man has doubtless more wine in his house, and still Rabh says, that one must, over one cup of wine, pronounce the benediction over wine, recite the Kiddush, pronounce the benediction over light, and the Habdalah? Because Rabh mentions all these benedictions but omits that of the season (which must be said at the commencement of each festival), it must be presumed that he refers to the seventh day of Passover as the festival (because on that day the benediction of the season is not said), and at that time it is possible that a man has only one cup of wine left.

How is this possible? On the first day of a festival, when a man surely has more wine, still Abayi said, that over one cup the benediction of wine, Kiddush, of the season, of light, and the Habdalah should be pronounced, and Rabba said, of wine, Kiddush, light, Habdalah, and finally of the season (and both agree that all this may be done over one cup of wine); hence we must say, that all these benedictions, like Kiddush, Habdalah, etc., are classed as one, because the duty of such benedictions devolves upon a man as soon as the Sabbath draws to a close, and hence may be made over one cup; but the benediction before the meal, and that after, are two separate kinds of benedictions and should not be said over one and the same cup of wine.

The statement previously quoted: "If a festival follow a Sabbath, Rabh says, one must pronounce the benediction of wine, recite the Kiddush, say the benediction of light and the Habdalah," is supplemented by "Samuel says, he must pronounce the benediction of wine, light, Habdalah, and then recite the Kiddush; Rabba says, of wine, Habdalah, light, and then Kiddush; Levi says, Kiddush, light, wine, and Habdalah; other sages say, Kiddush, wine, light, and Habdalah; Mar the son of Rabhina says, light, Kiddush, wine, and Habdalah; and Martha says in the name of R. Jehoshua, light, wine, Habdalah, and Kiddush."

The father of Samuel sent to Rabbi the request: "Let Master teach us the order in which the benediction of Habdalah should be made over the cup of wine," and Rabbi sent the reply: "So said R. Ishmael the son of R. Jose in the name of his father, who in turn said in the name of R. Jehoshua ben Hananiah: 'Light, Habdalah, wine, and Kiddush.'" Said R.

Hanina: This can be compared to the exit of a king from, and to the entrance of a high official into, a city. First the king is escorted out of the city, and then the high official is ushered in. (Likewise the Sabbath, being the holier, is first escorted out with Habdalah, and then the festival is ushered in with the Kiddush.) How does, finally, the Halakha prevail? Abayi said: "Wine, Kiddush, season, light, and Habdalah," and Rabba said: "Wine, Kiddush, light, Habdalah, and season." The Halakha prevails according to Rabba. R. Jacob bar Abba once happened to be in the house of Rabha, and he noticed that Rabha said the benediction, "Who hath created the fruit of the vine," over the first cup, and after the meal was over, before the benediction at the conclusion of the meal was pronounced, he again made the same benediction over the wine and then drank it. So R. Jacob asked: "Why dost thou say so many benedictions? Thou hast already made one over the wine, why dost thou make another?" Rabha replied: "When I was at the house of the Exilarch we would do likewise," and R. Jacob replied: "At the house of the Exilarch this was proper, because it was not known whether more wine would be given, hence a benediction was said at the commencement, and then if more wine was given another was said; but here, when we have the wine before our eyes, surely this is not necessary!" Said Rabha: "I act as the disciples of Rabh; for R. Brona and R. Hananel the disciples of Rabh were sitting at a meal, and were waited on by Yeba the Elder. In the meantime they said: 'Give us a cup of wine and we will say the benediction (at the conclusion of a meal).' Subsequently they reconsidered it, and asked for more wine to drink. Said R. Yeba to them: Thus said Rabh, 'As soon as ye have said, give us a cup and we will make the benediction, ye have given up the intention of eating any more, hence ye must not drink until ye have pronounced the benediction at the conclusion of the meal' (whence we see that the concluding benediction disconnects all previous benedictions, and if anything else is eaten afterwards another benediction thereon must be made)."

[Ameimar, Mar Zutra, and R. Ashi sat at one meal, and R. Aha the son of Rabha waited on them. Ameimar made a benediction over each separate cup of wine. Mar Zutra made a benediction over the first, and then over the last cup. R. Ashi only made one over the first cup, and no more.] (Referring to R. Jacob's visit to Rabha again:) When the time for the Hab-

dalah prayer arrived, the servant of Rabha lit several candles and joined them into one flame. Said R. Jacob to him: "Why dost thou need so many candles?" and Rabha replied: "The servant did this of his own accord," and R. Jacob rejoined: "If the servant did not know that such is thy wont, he would not have done this; therefore thou probably doest this always, and I ask thee again, Why so many candles?" He then answered: "Doth not my master hold, that the flame used at the Habdalah prayer is a religious duty of the highest degree?"

When Rabha commenced to recite the Habdalah prayer he said thus: "Who hath made a distinction between sanctified and ordinary days, between light and darkness, between Israel and other nations, and between the seventh day and the six working days." Said R. Jacob to him: "Why dost thou recite such a voluminous prayer? Did not R. Jehudah say in the name of Rabh, that R. Jehudah Hanassi's mode of reciting the Habdalah was merely, 'Who hath made a distinction between sanctified and ordinary days'?" and Rabha replied: "I hold with the following Tana, R. Eliezer in the name of R. Oshiya said: 'One who desires to embody few distinctions in the Habdalah prayer should not recite less than three, and he who would multiply them should not recite more than seven.'" Then R. Jacob remarked: "Yea, but thou, Master, hast not recited either three or seven, for there were four." Answered Rabha: "The last one was merely an adjunct to the conclusion of the prayer, for R. Jehudah said in the name of Samuel that one who recites the Habdalah prayer must make the words immediately preceding the conclusion of the prayer similar to the conclusion itself." The sages of Pumbaditha, however, said: "The conclusion of that prayer must be identical with the commencement." Wherein do they differ? Both the commencement and the conclusion read, "Who hath made the distinction between sanctified and ordinary days." They differ in a case of a Sabbath followed by a festival, when the initial and concluding benedictions read: "Who hath made a distinction between sanctification and sanctification." According to those who say that the words immediately preceding the conclusion must be similar to the conclusion itself, the additional sentence, "Who distinguisheth between the sanctification of the Sabbath and that of the festival," must be included; while according to those who say that only the conclusion and the commencement must be identical, the additional sentence is not necessary.

An objection was made: We have learned in a Boraitha: That one who is accustomed to incorporate many benedictions in the Habdalah prayer may embody as many as he chooses, while one who is not, may only recite one? This constitutes a diversity of opinion among Tanaim, as R. Johanan said: "The son of the Holy says, that only one benediction should be recited in the Habdalah, but the people generally pronounce three. [Who is called the son of the Holy? R. Mena'hem bar Sinai, and the reason he was called "son of the Holy" was because he never saw the likeness of a zuz.]

Said R. Jehoshua ben Levi: "One who recites the Habdalah prayer must recite it similarly to the Habdalah in the Scriptures."

An objection was made: How is the order of the Habdalah to be observed? As follows: "Who hath made a distinction between sanctified and ordinary, between light and darkness, between Israel and other nations, between the seventh day and working days, between unclean and clean, between the sea and dry land, between the waters above and beneath, between priests, Levites, and Israelites," and must conclude with, "Blessed be He who hath arranged in order the creation," and others say, "who hath created all things."

R. Jose bar R. Jehudah said: "He must conclude with 'who hath sanctified Israel.'" How then can it be said that the scriptural order should be observed? It does not mention sea and dry land? This should be eliminated. If that should be so, and taking into consideration that the distinction between the seventh day and working days is merely an adjunct to the conclusion, then seven benedictions will not remain? I will tell thee: Between the priests, Levites, and Israelites are virtually two separate distinctions, because it is written [Deut. x. 8]: "At that time did the Lord separate the tribe of Levi," and between the priests and Levites, as it is written [I Chronicles xxiii. 13]: "The sons of Amram: Aaron and Moses; and Aaron was set apart, to sanctify him as most holy."

What is the conclusion of the benediction? Said Rabh: "It concludes with 'who hath sanctified Israel,'" and Samuel said: "It concludes with 'who maketh a distinction between sanctified and ordinary.'" Abayi, according to another version R. Joseph, denounced Rabh's decree.

We have learned in a Boraitha upon the authority of R. Jehoshua ben Hananiah, that one who concludes the benedic-

tion with both passages, viz., "who hath sanctified Israel" and "who maketh a distinction between sanctified and ordinary," his years and days are prolonged for him; but the Halakha does not prevail accordingly.

Ula once came to Pumbaditha. So R. Jehudah said to his son, R. Itz'hak: "Go and carry a basket of fruit to Ula, and incidentally observe how he recites the Habdalah." R. Itz'hak would not go himself, but sent Abayi in his stead. When Abayi returned, he related that Ula merely said, "who distinguisheth between sanctified and ordinary (days)," and nothing more. R. Itz'hak then went to his father and told him that he did not go himself, but had sent Abayi, who related that Ula merely said, "who distinguisheth between sanctified and ordinary days," and R. Jehudah replied: "Thy arrogance and disobedience will be the cause of thy not being able to cite a Halakha in Ula's name, but thou wilt have to cite it in Abayi's name."

R. Hananiah bar Shlamia and the disciples of Rabh sat together at a meal, and R. Hamnuna the Elder waited on them, and they said to him: "Go and see if the Sabbath has already set in. If it has, we will stop and make the meal for Sabbath." He replied: "Ye need not do this; for Rabh said, that the Sabbath asserts itself without other aid, and it is not necessary to make a special distinction for it. 'For,' said Rabh, 'as on the Sabbath the law of giving tithes must be particularly observed, even when a light meal is taken, because the Sabbath renders it an honorable duty, so in the case of the Kiddush (prayer)—even if a meal is in the course of being served, one may arise and recite that prayer without first clearing off the table.'"

The disciples of Rabh desired to infer therefrom, that as the Sabbath makes it a duty to recite the *Kiddush* even when in the midst of a meal, the Habdalah should also be said, even though a meal have to be interrupted on that account. Said R. Amram to them: "Thus said Rabh: 'For Kiddush this is imperative but not for Habdalah, and as for interrupting a meal, it need not be done for the sake of Habdalah; at the same time, it is not lawful to commence eating at the time appointed for the Habdalah, without first reciting that prayer. No interruption need be made when solid food is taken; but when drinking, the Habdalah should be said over the same cup, *i.e.*, an interruption should be made and the Habdalah recited. Again, the interruption must be made only when wine or beer is drunk, but when water is the beverage that is not necessary.'"

Rabhina asked R. Na'hman bar Itz'hak: "If a man did not recite the Kiddush on the eve of Sabbath, is it lawful for him to do so during the Sabbath day?" and he answered: "The children of Hyya having stated, that one who had not recited the Habdalah at the close of Sabbath may do so at any time during the week following, we must assume, that one who had not recited the Kiddush on the eve of Sabbath may do so during all the Sabbath day."

Rabhina objected: "The eve of a Sabbath or of a festival brings with it the duty of saying the Kiddush over a cup (of wine) and also the duty of including the remembrance in the benediction at the conclusion of meals, but the Sabbath or the festival days only carry with them the duty of including remembrance in the benedictions after meals? Now, if it were allowed to recite the Kiddush on the Sabbath or festival day, because they have the duty of the benediction in common with the eve of the Sabbath or the festival, could not a man wilfully postpone the recital of the Kiddush until the morrow?" Replied R. Na'hman bar Itz'hak: "The case of a man who does not act in accordance with the proper law is not considered."

Rabhina again objected: "The honor of the Sabbath day is more important than that of the eve preceding it, so that if a man have but one cup of wine for both the Kiddush on the eve of Sabbath and for the purpose of honoring therewith the Sabbath day, he should rather use it for the Kiddush; whence we can see, that it should *not* be postponed until the next day; for were this allowed, the owner could leave the cup until the following day and then use it for both purposes." Answered R. Na'hman: "The fulfilment of a religious duty at its proper time is the more preferable." Rabhina, however, rejoined: "Is this indeed the case? Have we not learned in a Boraitha, that if a man enter his house at the close of the Sabbath, he pronounces a benediction over wine, light, and spices in the order named, and then recites the Habdalah over the cup? Now if a man have only one cup of wine, he may leave it until after the meal and then pronounce all the benedictions over it at once. Is this not proof positive that the fulfilment of a religious duty at its proper time is not preferable?" Then R. Na'hman replied: "I am not one of those sages who would proclaim a decree upon my own authority; neither am I a prophet nor do I quote an authority without corroboration. The traditional ordinance I quoted I did not learn from my teachers as referring to

Kiddush alone, but I merely took it upon myself to arrange the order of the benedictions in the Kiddush and Habdalah, and I did so because I was convinced that my order was correct ;* for thus it is also taught in the colleges, and the reason of all this is, that there is a great difference between the entrance of a sanctified day and its close. At the entrance of such a day, the sooner we observe its sanctification the better, for we thereby demonstrate that we consider the duty a pleasure; but at its close, the further we can postpone its termination the better, for thereby we demonstrate that it is not a burden to us. (Hence if a meal is in progress at the time when the Sabbath is about to set in, we should attempt the repast and say the Kiddush in order to usher in the Sabbath that much sooner; but if we only have one cup of wine at the close of Sabbath with which to say the Habdalah, we should first finish our repast and pronounce the other benedictions, and then recite the Habdalah over that cup in order to postpone the termination of the holy day that much longer.)"

From the preceding Boraitha we may infer eight things: First: One who included the Habdalah in his evening prayer must nevertheless recite it again over a cup (this is inferred from the sentence "if a man enter his house at the close of the Sabbath," which signifies, that he came from the house of worship, where he had already recited the Habdalah). Second: The benediction after a meal must be made over a cup (of wine). Third: The cup used at the benediction must be of a prescribed capacity (*i.e.*, a quarter of a lug; for were this not so, it could be divided and part used for the Habdalah and another part for the other benediction). Fourth: One who pronounces the benediction over the cup of wine must taste some (for otherwise the benediction could be made and the wine left over for the next benediction). Fifth: As soon as part of the wine is tasted after a benediction, the cup of wine is rendered unfit for any other benedictions. Sixth: Even if a full meal is eaten at the close of Sabbath and the sanctification of the day had passed, it is still a duty to recite the Habdalah. Seventh: Two degrees of sanctification may be bestowed upon one cup of wine. Lastly: The entire Boraitha is in accordance with the school of Shammai and with the interpretation of R. Jehudah (*i.e.*, that

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* This explanation is taken from the commentary of Rashbam the grandson of Rashi.

the benedictions over light must be pronounced prior to that over spices, and not *vice versa*).

R. Ashi said: "The inference that the cup of wine must be of a prescribed quantity, and the one that by tasting the wine the cup becomes unfit for other benedictions, are virtually one and the same thing, and the eight inferences are completed thus: Why does tasting of the cup of wine render it unfit? Because the prescribed quantity is thereby lessened."

R. Jacob bar Idi was so particular, that if the jug containing the wine was ever so slightly damaged he would not use the wine for Kiddush or Habdalah, and R. Idi bar Shesha was only particular about the condition of the goblet; Mar the son of R. Ashi was particular even about the condition of the barrel containing the wine, and if it was at all damaged he would not use the wine for the Kiddush or the Habdalah.

The rabbis taught: "It is written [Exod. xx. 8]: 'Remember the Sabbath day to keep it holy.' The remembrance should be effected over wine. This, however, refers to the Sabbath day; whence do we know that the night is also meant? To that end it is written, 'to keep it holy,' which refers also to the night."

"Whence do we know that the night is also meant," is the question? Is not the night the principal time of the Sabbath, when the Kiddush must be said? Then, again, how can the passage refer to the night, when it distinctly states the day? The following is meant: "Remember the day" implies that it should be remembered over wine, when the Sabbath sets in. This therefore refers to the night, and that the day also is meant is clearly proven by the words, "the Sabbath day."

What benediction is made during the day of Sabbath? Said R. Jehudah: "Only the usual benediction over the wine, viz., 'who hath created the fruit of the vine.'"

R. Ashi came to the city of Mehuzza, and the people said to him: "Let Master recite for us the great Kiddush," and not knowing what they meant by the great Kiddush, he thought: "Let us see! The first benediction to be made is the usual one over wine." Accordingly, he pronounced the benediction, "who hath created the fruit of the vine," in a rather prolonged manner. He thereupon observed an old man bending over and sipping the wine (whence he concluded that the one benediction constituted the great Kiddush). He then applied to himself the passage [Ecclesiastes ii. 14]: "The wise man hath his eyes in his head."

We have previously learned that the children of R. Hyya said: "If a man did not say the Habdalah at the close of the Sabbath, he may say it at any time during the following week." Until what day of the week? Said R. Zera: "Until the fourth day of the week (for after that the days belong to the next week)."

R. Brona said in the name of Rabh: "If a man had washed his hands for a meal, he should not make the Kiddush, because that will cause an interruption (and he will be obliged to wash his hands again)." Said R. Itz'hak bar Samuel bar Martha: "Rabh is not yet dead, and still we have already forgotten all his Halakhoth. I myself stood before Rabh several times and noticed that whenever he preferred bread he would make the Kiddush over bread, and whenever he preferred wine he would make the Kiddush over wine."

Said R. Huna in the name of Rabh: "If a man had eaten anything prior to making the Kiddush, he need not make the Kiddush." R. Hana the son of Hinana asked R. Huna: "If a man had eaten prior to reciting the Habdalah, what is the law?" and he answered: "I say, that he must nevertheless recite the Habdalah, but R. Assi said, that he need not do so."

R. Jeremiah bar Abba was at one time in the house of R. Assi, and through forgetfulness ate something before saying the Habdalah. Afterwards he was given a cup of wine and he then said the Habdalah. Said R. Assi's wife to her husband: "Master does not do this?" and he replied: "Let him be; he acts according to the teaching of his masters."

R. Joseph in the name of Samuel said: "If a man had thoughtlessly eaten either before Kiddush or before Habdalah, he need not recite those prayers," but Rabba in the name of R. Na'hman quoted Samuel to the contrary, namely, that he may do so. Said Rabha: The Halakha prevails that one who had eaten before Kiddush or Habdalah may nevertheless recite those prayers; if one had not made the Kiddush on the eve of Sabbath, he may do so during the Sabbath day; and if he did not say the Habdalah at the close of Sabbath, he may say it on the following day.

Mar the Younger and Mar the Elder, sons of R. Hisda, related to R. Ashi the following: It once happened, that Ameimar was a guest in our house, and not having any wine, beer was brought for the Habdalah; but he would not use it for that purpose, and went to sleep without supper. On the morrow,

after a good deal of trouble we succeeded in procuring some wine; and he said the Habdalah and ate. A year afterwards he was again our guest, and once more we did not have any wine, so we brought beer for the Habdalah. He then remarked: "If wine is so scarce with you and your usual beverage is beer, then the beer may be considered as wine of your land." Accordingly he said the Habdalah over it and ate his meal.

From this narrative we can infer three things: First, that a man who heard the Habdalah in the house of worship, must nevertheless recite it in his house; second, that nothing should be eaten prior to the Habdalah; and third, that if a man did not say the Habdalah at the close of Sabbath, he may say it during the following week.

R. Huna asked of R. Hisda: "May the Kiddush be made over beer?" and he answered: "If as to unfermented barley-beer, fig-beer, and senna-beer, concerning which Rabh was asked, who in turn asked of R. Hyya, who then asked Rabbi, it could not be decided whether they may be used or not, how then can I decide about ordinary beer?"

It was thought, however, that while Kiddush could not be made, it was surely allowed to make Habdalah with beer. Said R. Hisda to them: "So said Rabh: 'As the Kiddush cannot be made over beer, so also must Habdalah not be made over it.'" It was also taught, that R. Ta'hlipha bar R. Abimi said the same thing in the name of Samuel.

Levi sent Rabbi beer made of a thirteen-fold extract of dates, and it was very sweet in taste; and Rabbi said: "With this kind of beer the Kiddush may be made, and all hymns and songs in praise of the Lord may be sung over it." At night he felt some bad effects on account of that beer; so he said: "Should a thing which produces a bad effect be used for the Kiddush?"

R. Joseph said: "I will register a vow before a multitude of people that I will never again drink beer," and Rabha said: "I would rather drink water in which flax was soaked than beer," and continued he: "He who makes the Kiddush over beer, should never have anything else to drink (*i.e.*, in a place where wine is to be had)."

R. Huna once found Rabh making Kiddush over beer. So he said: "It seems to me, that Abba will soon commence to deal in beer, if it is so dear to him."

The rabbis taught: "Neither Kiddush nor any other benedic-

tion should be made with anything except wine." Is there then no benediction made over beer and water, namely: "Through whose word everything came into being"? Said Abayi: "The teaching of the rabbis relative to any other benediction means, that the cup given for the benediction after meals should only be of wine."

The rabbis taught: "Kiddush is not made with beer." It was said upon the authority of R. Eliezer bar R. Simeon, that Kiddush *may* be made with beer.

The statement previously made, that the wine must be tasted when Kiddush is made, means that even ever so little may be tasted, and R. Jose bar R. Jehudah says, that a mouthful must be tasted.

R. Huna said in the name of Rabh, and likewise R. Giddel of Narash taught: "If a man made Kiddush and tasted a mouthful of the beverage, he has fulfilled his duty; but if he had not tasted that much, he has not acquitted himself of the duty."

"*From the time of Min'hah,*" etc. The schoolmen asked: Does this refer to the long Min'hah (the time for which commences in the half of the eighth hour, *i.e.*, at half-past one in the afternoon) or to the short Min'hah (the time for which commences on the half of the tenth hour, *i.e.*, at half-past three in the afternoon in our time)? Is it not lawful to eat from the time of the *long* Min'hah, because thereby the time in which the paschal offering must be brought will be taken up, or is it not lawful to eat from the time of the *short* Min'hah, because in that event a man would become satiated, and not be able to do justice to the Passover-meal of unleavened bread?

Said Rabhina: Come and hear: We have learned: Even King Agrippa, whose wont it was to eat at the ninth hour of the day (3 P.M.), should on the eve of Passover not eat until it becomes dark. Now if the short Min'hah is the time meant, after which it is not lawful to eat, then the case of King Agrippa is worthy of note; but if the long Min'hah is meant, what proof does this case exhibit then that it was only because the meal would interfere with the paschal offering, and why is Agrippa's case specially mentioned? Hence we may infer therefrom that the short Min'hah is meant. Still, wherein is the case of Agrippa so noteworthy? If he commence his meal as usual in the ninth hour, the time when it is already unlawful to eat will arrive while he is still at his meal? We might assume, that the ninth

hour of Agrippa is the equivalent of our fourth hour. Hence we are told that such is not the case.

R. Jose said: "While eating is not permitted after the time stated in the Mishna, it is allowed to partake of a light repast of fruit, delicacies, etc." R. Itz'hak would partake of herbs. Rabha would drink wine during all the eve of Passover, in order to arouse his appetite for unleavened bread at night. R. Shesheth would fast all through the eve of Passover, because, being in delicate health, had he eaten anything during the day he would not have been able to eat at night.

"*Even the meanest in Israel,*" etc. It was taught: When eating unleavened bread on the Passover-night it is required that one should recline in an easy position, but this is not required when the bitter herbs are eaten. When wine is drunk it was taught in the name of R. Na'hman that a reclining position should be taken, and also that it need not be taken. Still, this apparent contradiction presents no difficulty. The statement quoted of R. Na'hman that a reclining position is necessary when drinking wine refers to the first two cups, and the statement that it is not necessary refers to the last two cups. Some explain the apparent contradiction in the manner quoted because the first two cups symbolize the commencement of liberty for the previously enslaved Jews, while the last two cups have no such significance. Others, however, say on the contrary! The first two cups are a remembrance of the days of bondage, and should therefore not be drunk in a reclining position, while the last two cups are a remembrance of the dawn of freedom, and hence should be drunk in an easy reclining position.

Leaning backwards is not considered reclining, nor is leaning over on the right side considered reclining in an easy position, and another reason why this should not be done is for fear lest the food enter the trachea instead of the gullet, and thus cause danger.

The woman who sits with her husband need not recline when eating, but if she is a woman of prominence she should do so. A son sitting with his father must recline, and the schoolmen raised the question whether a disciple sitting with his master should also recline or not? Come and hear: Abayi said: When we were at the house of our master (Rabba) we disciples would recline each on the other's knee; but when we afterwards came to R. Joseph, he told us that we need not do this, for it is said in Aboth: "The fear of thy master should be as the fear of the

Lord." The schoolmen then inquired whether the servant in the house of his master must recline or not. Come and hear: R. Jehoshua ben Levi said: "If the servant ate unleavened bread to the size of an olive in a reclining position, he has fulfilled his duty." Whence we may infer that the servant must also recline (for he says "in a reclining position," but if not in a reclining position the servant would not have discharged the duty).

R. Jehoshua ben Levi said again: "Women must also drink the four cups, because they were also included in the miracles which delivered us all from Egypt."

R. Jehudah said in the name of Samuel: "Each cup must contain wine which, when mixed with three parts of water, will be good wine. If unmixed wine was drunk, the duty has nevertheless been fulfilled. If all the four cups were poured into one and drunk, the duty has also been fulfilled. If the household was allowed to drink part of the four cups, the duty has also been fulfilled." Rabha, however, said: "If the wine was drunk unmixed the duty of drinking the wine has been acquitted, but the symbolical feature thereof has not been carried out," and in the case of where the four cups were poured into one, Rabh said: "The duty of drinking wine has been accomplished, but the duty of the four cups has not." If the household was allowed to drink part of the four cups, R. Na'hman said: "The master of the house has fulfilled the duty of drinking the four cups, provided he drunk the larger part thereof."

We have learned in a Boraitha, R. Jehudah said: "The cup must contain the taste and the color of red wine." Said Rabha: "What is the reason of R. Jehudah's statement? Because it is written [Proverbs xxiii. 31]: 'Do not look on the wine when it is red' (whence we adduce, that wine must be red)."

The rabbis taught: "The duty of drinking the four cups devolves upon all alike—men, women, and even children." R. Jehudah, however, said: "What benefit would children derive from wine? They should rather be given nuts, parched corn, etc., on the eve of Passover, so as to keep them awake at night, and that may make them inquire into the reason of the festivity."

It was said of R. Aqiba, that he would deal out nuts and parched corn on the eve of Passover to the children, in order to keep them awake and have them ask for reasons.

We have learned in a Boraitha, R. Eliezer said: On the night of the Passover the unleavened bread is snatched out of the

children's hand in order to keep them awake and have them ask for the reason.*

A Boraitha states that it was told of R. Aqiba, that he never proposed adjourning the session at the college excepting on the eve of Passover for the children's sake, that they should not fall asleep, and on the eve of the Day of Atonement, in order to see that the children be given their meals at the proper time.

The rabbis taught: It is the duty of every man to cause his household and his children to rejoice on a festival, as it is written [Deut. xvi. 14]: "And thou shalt rejoice on thy feast." Wherewith should a man cause his household to rejoice? With wine. R. Jehudah, however, said: "The men with the thing they like best and the women with what is most pleasing to them." The thing men like best is, of course, wine; but what is most pleasing to women? R. Joseph taught: "In Babylonia multicolored dresses and in Judæa pressed linen garments."

We have learned in a Boraitha, R. Jehudah ben Bathyra said: "When the Temple was still in existence, there was no better mode of rejoicing, than with (the eating of) flesh, as it is written [Deut. xxvii. 7]: 'And thou shalt slay peace-offerings, and eat them there; and thou shalt rejoice before the Lord thy God'; but now, when there is no Temple, wine is the principal means of rejoicing, as it is written [Psalms civ. 15]: 'And wine that maketh joyful the heart of man.'"

"*Nor shall a person have less than four cups of wine.*" How can the rabbis order a thing which might involve danger?† Have we not learned in a Boraitha, that a man should not eat two dishes, nor drink two cups, nor do anything by twos? Said R. Na'hman: "It is written [Exod. xii. 42]: 'A night to be observed was this unto the Lord,' which signifies that on that night one is exempt from danger." Rabha said: "The cup of benediction (after meals) is only counted in for good purposes but never for evil, because its very name implies that it is for good, and thus only three cups are virtually drunk." Rabhina, however, said: "At all events, the four cups cannot be conjoined, for each one represents a different duty."‡

* This is according to the explanation of Rashbam in the third instance.

† There was a tradition extant at that time that anything done an even number of times involved danger to the perpetrator, but if done an odd number of times the danger was averted. (According to page 229.)

‡ In the original edition of the Talmud an entire page follows here relative to the tradition quoted in the preceding note, which we have omitted on account of its irrelevancy to the text proper.

In Palestine no attention was paid to even or odd numbers, but R. Dimi of Neherdai was even particular about the signs on his barrels; and it once happened that he paid no attention to the signs, so one of the barrels burst. Whence the rule may be adduced, that one who is particular about things lays himself liable to accidents, but one who is not is not affected by superstition; still, it might happen that an accident should occur to him.

When R. Dimi came from Palestine, he said: Two eggs, two nuts, two cucumbers, and two of some other thing which I cannot remember, prove injurious to a man, is a Sinaic law; and because the rabbis could not find out what that other thing was, they included two of everything among the injurious as a precautionary measure. The statement elsewhere, that ten, eight, six, and four are excluded from the even numbers which are injurious only refers to acts caused by evil spirits; but where witchcraft is concerned, even those and more numbers may prove injurious, as it happened that a man once divorced his wife and she then became the wife of a wine-dealer. The first husband would generally go to that wine-dealer for his wine, and they tried to bewitch him, but without success; for he was always careful to avoid the even numbers. One day he imbibed too freely, and after drinking his sixteenth cup he became confused, and did not know how many he had drunk. So they saw to it that he drank an even number, and then succeeded in bewitching him. When he went out into the street he was met by a certain merchant, who said: "I see a murdered man walking before me." Not being able to proceed farther, the drunken man embraced a tree for support, when the tree emitted a groan and dried up, and the man was killed.

R. Avira said: Bowls and loaves of bread are not affected by even numbers. The rule is, that all things produced artificially are not subject to the evil arising from even numbers; but natural productions, such as fruit and edible things, are. Shops are not affected by even numbers (if one eat in two shops). If one ate one of a certain thing and then considered it, and ate another, the rule of even numbers does not apply. Guests are not affected by even numbers; *i.e.*, if one cup of wine was given a guest and then another, as he had not known in advance how many he would be given, he is not affected.

A woman is not affected by even numbers, but a prominent woman should nevertheless be careful.

Said R. Hinana the son of R. Jehoshua: "Asparagus is always counted in with things tending to good but not to evil." R. Joseph said: Two cups of wine and one cup of beer are not counted together; but two cups of beer and one of wine are counted together. Proof of this can be adduced from a Mishna in Tract Kelim, to the effect that where uncleanness is concerned, the less valuable things are defiled by more valuable, but valuable things are not defiled by things of lesser value.

R. Na'hman said in the name of Rabh: "If two cups are drunk before going to the table, and one while at table, they are counted together, but one drunk before going to the table and two drunk at the table are not counted together." R. Mesharshia opposed this statement. Do we then concern ourselves with the table? It is the man who is affected, and if he drank three cups, it is well. Therefore only if a man drank two cups at the table, pronounced the benediction after the meal, and subsequently drank another, the three cups are not counted together.*

"*Even if they must be given him from the funds devoted to charitable support.*" Is this not self-evident? (Is not the poor man equal to all others?) This statement in the Mishna is made for the purpose of counteracting the decree of R. Aqiba, to the effect that a man should even make his Sabbath-day as any other, in order not to depend upon charity. When the observance of the Passover, however, is concerned, and the miracles performed for our ancestors are to be proclaimed, even R. Aqiba admits that a man may avail himself of charity so that he may be enabled fitly to celebrate the event.

The disciples of Elijah taught: Although R. Aqiba taught that a man should even make his Sabbath-day as any other, in order not to depend upon charity, still some slight distinction should be made in honor of the Sabbath [What is meant by some slight distinction? Said R. Papa: "Small fishes should be eaten"], as it is taught in a Mishna (Aboth): R. Jehudah

* All that is stated here about odd and even numbers, as well as the subject of evil spirits (which covers here two and one-half pages of the original), is omitted in Maimonides; and the author of the "History of Oral Law" maintains that, according to the opinion of Maimonides, it was not contained in the Talmud originally. (See page 223, vol. iv., Vienna, 1883.) We, however, although we agree with the above-mentioned author, do not care to omit these themes entirely, and have put in a little of both, as the tradition of the odd and even numbers at least existed at that time. (See, also, our Hebrew Commentary to Tract Shekalim, vol. iv., page 14, of the Hebrew.)

ben Thaima said: Thou shalt be bold as a leopard, light as an eagle, swift as a deer, and strong as a lion to do the will of thy Heavenly Father (which signifies, that a man should go even beyond his means in order to honor the Sabbath).

The rabbis taught: Seven things R. Aqiba commanded his son R. Jehoshua, viz.: "My child, sit not in the midst of a city, when thou desirest to study; do not live in a city the officials of which are scholars, for they do not attend to the wants of the city; do not enter thy house without warning, and so much the less into thy neighbor's house; never go bare-footed; always arise early, and immediately eat in summer on account of the heat and in winter on account of the cold; and rather make thy Sabbath-day as any other in order not to depend upon charity; and, finally, have transactions only with such men as have no ill-fortune." Said R. Papa: "This last injunction does not refer to buying of or selling to a man in good fortune, but merely to entering into partnership."

Now that we have heard from R. Samuel bar Itz'hak that the passage [Job i. 10]: "The work of his hands hast thou blessed" signifies, that whoever only received a coin from the hands of Job was fortunate in all his undertakings, we can infer, that with a man who is fortunate it is not only beneficial to be associated as a partner, but it is even to one's interest to buy from or sell to such a person.

Five things R. Aqiba while in prison commanded to R. Simeon ben Jochai: When R. Simeon ben Jochai said to him: "Master, teach me the Law," and R. Aqiba replied, "I do not wish to do this," the former said: "If thou wilt not, I shall complain to my father Jochai, and he will denounce thee to the government." R. Aqiba then remarked: "My son, more than the calf desireth to suck is the cow anxious to yield her milk," and R. Simeon replied: "In this case, however, the calf is in greater danger" (because R. Aqiba had been in prison already for this offence, while R. Simeon ben Jochai (the calf) stood yet in danger of being detected). Whereupon R. Aqiba told him the five things, viz.: If thou wouldst hang thyself, select at least a stout tree (meaning, that if thou wouldst have thy words listened to, quote them in the name of some great authority). If thou wouldst teach thy child, teach it from books free of errors. [What is meant thereby? Said Rabha, and according to others R. Mesharshia: "If a child is taught incorrectly to commence with, it is next to impossible to correct it subsequently."] Do

not cook in the same pot that thy neighbor once used. [What is meant thereby? A divorced woman whose husband is still living; because the Master said, that if a divorced man marry a divorced woman there are four different minds in one bed, and others say, that R. Aqiba even referred to a widow.] If thou wouldst do an act of charity or perform a religious duty, and incidentally derive material benefit therefrom, thou shouldst lend thy money to the husbandman and eat of the fruit of his land, in which case thou wilt do an act of charity and also derive material benefit. If thou wouldst perform a religious duty and keep thy body clean, thou shouldst take a wife and have children.

Four things our holy Rabbi commanded his children, viz.: Do not live in the city of Shakantzib (because the inhabitants are scorners). Do not sit on the bed of a Syrian woman. [What is meant thereby? Some say, that one should not lie down to sleep without reciting the Shema prayer; and others say, that one should not marry a proselyte; while still others say, that the literal meaning is to be accepted on account of what happened to R. Papa.*] Do not try to avoid taxation (for aside from the fact that it is a duty to pay taxes, should it be known that ye desire to avoid them, your property is in danger of being confiscated). Lastly, do not stand in front of an ox just emerging from the swamps, for at that time he is so wild that it seems as if Satan were moving between his horns. R. Samuel said: "This refers only to a black ox in the month of Nissan."

R. Oshiya taught: An ox that had attempted to gore a person once should not be approached for a distance of fifty ells, and one that had done so three times should be avoided as long as he is in sight. It was taught in the name of R. Meir: If thou hast perceived an ox so vicious, even if he still have his head in his crib, climb up an elevation and draw thy ladder after thee immediately.

Three things R. Ishmael bar R. Jose commanded Rabbi, viz.: Thou shalt not cause a blemish on thyself [*i.e.*, thou shalt not deal with three men, one of whom will sue thee in a court of law and the other two will serve as witnesses against thee; for then thou wilt surely lose thy case]. Thou shalt not haggle

* There is a legend that R. Papa had lent a Syrian woman money, and whenever he would call on her to collect the debt, she would invite him to sit on a bed. One day she strangled a child and threw it upon the bed where R. Papa sate. She then accused him of strangling the babe, and he was compelled to flee for his life.

over the price of a thing if thou hast not the wherewithal to purchase it with thee; and on the night when thy wife has returned from the bath thou shalt have nothing to do with her. Said Rabh: "This refers to a woman who had been ritually unclean according to biblical law but not to one who had been unclean according to rabbinical law; for in the former case, having been unclean only seven days, there is danger of a recurrence of her uncleanness, while in the latter, where she had been unclean fourteen days, there is no such danger."

Three things R. Jose bar R. Jehudah also commanded Rabbi, viz.: Thou shalt not go out at night alone. Thou shalt not stand naked before a light; and thou shalt not enter a new bath-house, lest it be imperfectly constructed and break down. [How long is a bath-house considered new? Said R. Jehoshua ben Levi: "For twelve months." Why should not a man stand naked before a light? Because we have learned in a Boraitha: "One who stands naked before a light is liable to be seized with epilepsy, and one who has sexual intercourse before a light may produce epileptic children."]

The rabbis taught: "One who has intercourse with his wife in a bed where a child sleeps may cause the child to be epileptic, but this is the case only if the child is less than six years old. If it is over six years old, or even if it be less than six years old but sleeps at the foot or at the head of the bed, it does not matter. If the man, however, put his hand on the child, no matter where it sleeps, there will be no evil consequences."

Why should not a man go out alone at night? For we have learned in a Boraitha: "A man should not go out alone on the night following the fourth day or on the night following the Sabbath, because an evil spirit called Agrath, the daughter of Ma'hlath, together with one hundred and eighty thousand other evil spirits, go forth into the world and have the right to injure anyone they should chance to meet."

In former times this spirit would go forth every day. Once she met with R. Hanina ben Dosa and said to him: "If I had not heard it proclaimed in the heavens, 'Hanina and his knowledge must be respected,' I would inflict some injury upon thee," and he answered: "If I am esteemed in the heavens above, I command thee never to appear where men dwell," and she pleaded: "I must obey thy command, but leave me some freedom," whereupon he allowed the night following the fourth day and the night following the Sabbath.

At another time this same evil spirit met Abayi, and she also said to him: "Had I not heard it proclaimed above, 'Respect Na'hmeni (another name for Abayi) and his knowledge,' I would do thee harm"; and he answered: "If I am respected above, I command thee never to appear where men dwell."

Rabh said to R. Assi: "Do not live in a city where thou canst not hear a horse neigh or a dog bark, and do not live in a city whose (executive) head is a physician. Do not take unto thee two wives, because they might conspire against thee to do thee wrong. If thou, however, already hast two wives, take a third (and should two conspire against thee the third will betray them to thee)."

Rabh said to R. Kahana: "It were better that thou shouldst occupy thyself with carrion (for a livelihood) than that thou shouldst break thy word (promise). Rather skin carrion in the market for pay than say that thou art a priest or an important person and above such work; for all honest labor is preferable to accepting charity. When thou goest on a journey, no matter how short, always take some food with thee. Even when a hundred cucumbers may be had for one zuz, do not say that thou wilt buy thy food on the way, but carry it along with thee, for thou never canst know what might happen on the way."

Rabh said to his son Hyya: "Do not make a habit of taking medicine. Do not make long strides. Avoid as much as possible having a tooth extracted. Never try to tease a snake, and do not make sport of a Persian."

The rabbis taught: Never tease a little (young) Gentile, a small snake, or a young pupil; because their kingdom is behind their ears (*i.e.*, when they become older they seek revenge).

Rabh said to Aibo his son: "I have tried to teach thee the holy Law, but I cannot succeed; come and I will teach thee worldly things. When the sand is still on thy feet (*i.e.*, if thou hast returned from a purchasing trip), shouldst thou meet with a buyer sell out at once. Sell everything, even though thou mightst subsequently regret it, especially wine, which thou wilt never regret selling, for it might become spoiled. Make fast thy purse and open thy sack (*i.e.*, when selling, obtain the money first, secure it well, and then deliver the merchandise). If thou hast an opportunity to gain a kabh of land in thy immediate vicinity, it is better than a kur of land far away. If thy basket is filled with dates, run to the brewer and have him brew the beer; for the dates might be eaten up, and then thou wilt have

naught." [What quantity of dates should a man have before he goes to the brewer? Said Rabha: "Three saahs." Said R. Papa: "If I had not brewed beer, I should never have been rich," and so also said R. Hisda.

Said R. Papa: "All debts requiring promissory notes are doubtful, and those where the signatures must be verified are even more so; and even should they be paid, the money will not be good (*i.e.*, will come little by little)."]

Three things R. Johanan said in the name of the great men of Jerusalem: When thou goest to war, and canst persuade others to join thee, stay as long as possible in order to see that the men that thou hast recruited all go, and then go thyself last of all. Then upon the return thy reward shall be that thou shalt be first. Rather make thy Sabbath-day as any other, and avoid depending on charity. Associate thyself with one upon whom fortune smiles.

R. Jehoshua ben Levi also said three things in the name of the great men of Jerusalem, viz.: Do not commit private acts in public (on account of the evil consequences which have ensued by reason thereof). If thy daughter is of marriageable age, free thy slave and give her to him in marriage (rather than allow her to remain single), and watch thy wife with her first son-in-law. [Why so? Said R. Hisda: "On account of love," and R. Kahana said: "On account of money matters." As a matter of fact, both things should be looked after.]

R. Johanan said: The following three kinds of men shall inherit the world to come: Those that live in the Holy Land, those that send their children to houses of learning, and those that make Habdalah over wine (*i.e.*, those that have but little and leave some of the wine from the Kiddush for Habdalah, refraining from drinking it on the Sabbath).

R. Johanan said again: The Holy One, blessed be He, himself proclaims the virtue of the three following men: Of a bachelor who lives in a large city and sins not; of a poor man who finds a valuable thing and returns it to its owner; and of a rich man who gives a tenth of his profits to charity unbeknown to others.

R. Saphra was a bachelor, and lived in a large city. A certain Tana repeated the statement of R. Johanan, just quoted, in the presence of Rabha and R. Saphra. R. Saphra's face beamed with delight. Said Rabha to him: "A bachelor such as thou art is not meant, but such men as R. Hanina and R.

Oshiya, who were shoemakers in the land of Israel and whose shops were in the markets of the prostitutes. They would make shoes for those women and carry the shoes to the houses where the prostitutes lived, and even fit them there. Still, though the women would look at them, they never lifted their eyes to look at the prostitutes. Thus when oaths were taken, they would swear by the lives of these holy rabbis of the land of Israel."

The Holy One, blessed be He, loves three kinds of men, viz.: Those that never become angry, those that never become intoxicated, and those who do not insist upon asserting themselves. The following three the Lord hates: The one who speaks with his mouth and thinks otherwise in his heart; the one who can testify in a man's favor and does not do so; and the one who alone saw another man doing wrong and testifies against him in public, although knowing that the testimony of one man is not sufficient to convict, as it once happened that a certain man by the name of Tubia sinned. A certain Zigud came to R. Papa and testified against this Tubia. R. Papa ordered this Zigud chastised, and the latter said: "Tubia has sinned, and Zigud should be punished?" and R. Papa answered: "Yea; for it is written [Deutr. xix. 15]: 'There shall not rise up one single witness against a man,' and thou art the single witness against Tubia; hence thy testimony is of no value and merely slanders a man."

The rabbis taught: The following three kinds of men do not live a life worth living, viz.: Those who have too much pity with importunates, those who are very excitable, and those who are too fastidious. Said R. Joseph: "I combine in myself all those three defects."

The rabbis taught: The following three species hate others of their own kind, viz.: a dog, a cock, and a Persian Gueber (fire-worshipper); and others say, one prostitute hates another; and still others say, one scholar hates another.

The rabbis taught: The three following love others of their own kind, viz.: Proselytes, slaves, and ravens. The following four are unbearable to the sound sense of a man, viz.: A poor man who is vain, a rich man who constantly tells lies, an old man who is lascivious, and a president of a congregation who considers himself superior to all others without cause. Others say, also one who divorces his wife once, remarries, then divorces her again and again marries her.

Five things Canaan the son of Ham the son of Noah commanded his children; viz.: "Love ye one another, love robbery, love lasciviousness, hate your masters, and never tell the truth."

Six things were said of a horse, viz.: He is very passionate, he loves war, he is very proud, he hates to sleep, he eats much and casts off little; and according to others, he loves to kill his owner in a battle.

Rabba bar bar Hana said in the name of R. Samuel bar Martha, quoting Rabh upon the authority of R. Jose the man of Hutzal: Whence do we know that an Israelite must not consult astrologers? Because it is written [Deutr. xviii. 13]: "Perfect shalt thou be with the Lord thy God" (which signifies that perfect confidence must be reposed in the Lord). Whence do we know that if a man is convinced of the superiority of his neighbor to himself, even in one instance only, he should respect him? From the passage [Daniel vi. 4]: "Because a superior spirit was in him: and the king sought to appoint him over the whole kingdom." When a woman continues in the blood of her purification,* although she is not defiled, she should not have any connection with her husband.

We have learned in a Boraitha: Joseph the man of Hutzal is Joseph the Babylonian or Issi ben Gur Ariah or Issi ben Jehudah or Issi ben Gamaliel or Issi ben Mahalalal, and what is (really) his name? Issi ben Aqabia.

R. Itz'hak ben Tabla is R. Itz'hak ben Haqla and the same as R. Itz'hak ben Elazar (Ela'a), and where R. Itz'hak is mentioned in Halakha it refers to R. Itz'hak ben A'ha, while where R. Itz'hak is mentioned in Haggada it refers to R. Itz'hak ben Pin'has.

Rabba bar bar Hana said in the name of R. Johanan, quoting R. Jehudah bar Ilayi: Rather eat onions and sit in peace in thy house than geese and chickens, which thou wilt acquire a taste for and perhaps be unable to gratify it. Reduce the quality of thy meals, if need be, in order to improve the quality of thy abode. When Ula came from Palestine, he said: "There is a saying in Palestine to this effect: He who always eats the fat of a ram's tail must hide himself from his creditors in an altar, but he who satisfies himself with herbs, can sit in the centre of the market in full view of all."

MISHNA: When the first cup is poured out, the blessing pertaining to the festival should be said, and then the benedic-

* *Vide* Leviticus xii. 4.

tion over the wine must be pronounced. Such is the dictum of Beth Shammai; but according to Beth Hillel, the benediction over the wine should be said first, and then the blessing of the festival may be pronounced.

GEMARA: The rabbis taught: The following presents one of the instances wherein Beth Shammai and Beth Hillel continually differ as regards meals, namely: Beth Shammai hold, first, that the blessing of the festival should precede that over the wine, because the festival is the direct cause of drinking the wine; and, second, the festival was already at hand while the wine was just brought. The school of Hillel, however, maintain, first, that the blessing over the wine has the preference, because, were it not for the wine or bread, no Kiddush could be said; secondly, the wine is usual and drank every day, while the festival only comes once in a certain period, and the rule is, that between a thing which occurs frequently and one which occurs only at intervals, the latter is to be given preference. The Halakha prevails according to Beth Hillel.

MISHNA: Herbs and vegetables are then to be brought; the lettuce is then to be immersed, part thereof eaten, and the remainder left until after the meal arranged for the night is eaten; then unleavened cakes are to be placed before him as well as the lettuce, sauce (Charoseth), and two kinds of cooked food, although it is not strictly obligatory to use the same; R. Elazar ben Zadok, however, said, that it is obligatory. During the existence of the Holy Temple, the paschal sacrifice was then placed before him.

GEMARA: Why are two immersions necessary, the one when lettuce is immersed and the other when the bitter herbs are immersed? In order to excite the curiosity of the children, and have them inquire into the reason therefor. Which kinds of the above-mentioned cooked food are meant? Said R. Huna: "Mangold and rice," and Rabh would see to it that there was only mangold and rice in place of the cooked victuals, because he wished to carry out the literal sense of R. Huna's teaching.

Hezkyah said: "Fish, together with an egg, may also serve for the two kinds of cooked food," and R. Joseph said: "Nay; there must be two kinds of meat (one roasted and the other boiled), one to serve as a remembrance of the paschal offering and the other as a remembrance of the festal offering." Rabhina said: "A bone and some boiled meat suffice."

It is self-evident that if a man have other vegetables besides lettuce he can say the blessing required for the vegetables, namely, "who hath created the fruit of the earth," and eat them, and then, when coming to the bitter herbs, he may say the blessing required, namely, " who hath commanded us to eat bitter herbs," and then eat them; but if a man have no other vegetables besides lettuce, how shall he pronounce the benedictions? Said R. Huna: " He should first say the ordinary benedictions for vegetables, eat a piece of the lettuce, then say the blessing over bitter herbs, and proceed to eat."

R. Hisda opposed this: " How can the man say another blessing after he had already eaten of the thing? Therefore he should say the two benedictions together, eat part of the lettuce, and when the time arrives to eat the remainder he can eat it without saying a blessing."

In Suria they acted in accordance with R. Huna's opinion, and R. Shesheth the son of R. Jehoshua would act in accordance with R. Hisda's decree. The Halakha prevails according to R. Hisda's decree. R. A'ha the son of Rabha took care to have other vegetables besides lettuce, in order to avoid the difference of opinion between the two sages.

Rabhina said: R. Mesharshia the son of R. Nathan told me, that so said Hillel, quoting a tradition: A man should not place the bitter herbs between unleavened cakes and eat them in that manner. Why not? Because the eating of unleavened cakes is a biblical commandment, while the eating of bitter herbs in this day is only a rabbinical ordinance. Now if the two be eaten together, the bitter herbs might destroy the taste of the cakes, and thus a rabbinical ordinance would supersede a biblical commandment; and even according to those who hold that one commandment cannot nullify another when both are fulfilled at the same time, such is only the case where both are biblical or both are rabbinical; but when one is a biblical and the other a rabbinical commandment, the rabbinical nullifies the other, and hence their joint fulfilment is not allowed.

Who is the Tana from whom we have heard that the fulfilment of one commandment does not nullify that of another? That Tana is Hillel, as we have learned in a Boraitha: It was said of Hillel, that he would take a piece of the paschal offering, an unleavened cake, and some bitter herbs, and eat them together, as it is written [Numb. ix. 11]: " With unleavened bread and bitter herbs shall ye eat it."

R. Johanan said: "Hillel's colleagues did not agree with him, as we have learned in a Boraitha: Lest we assume that the paschal offering, the unleavened bread, and the bitter herbs must be eaten together, therefore it is written, 'With unleavened bread and bitter herbs shall ye eat it,' which signifies, that each may *even* be eaten separately." R. Ashi opposed this: "If this Boraitha is supposed to be in opposition to Hillel, why does it state that each may *even* be eaten separately? (If they may be eaten *even* separately, then surely they may be eaten together.) Therefore the Boraitha means to state, that even if the three things were eaten separately the duty was acquitted, though they should rather be eaten together."

Now in this day, when it is not known whether the Halakha prevails according to the opinion of Hillel or of the opposing sages, the mode of procedure should be thus: A blessing should be said over the unleavened bread and a piece thereof eaten; then another blessing should be said over the bitter herbs and a piece tasted, and finally the unleavened bread and the bitter herbs should be put together and eaten at the same time, saying: "This is in remembrance of Hillel's actions when the Temple was still in existence."

R. Elazar said in the name of R. Oshiya: "When anything is dipped in sauce, the hands should be perfectly clean"; *i.e.*, previously washed. Said R. Papa: "Thence we may infer that the lettuce must be entirely immersed in the Charoseth (sauce), for otherwise what need would there be of washing the hands, they would not touch the sauce?" Nay; perhaps this is not so: the odor of the sauce might neutralize any poison which might be lurking in the lettuce, and thus the lettuce need not be entirely immersed, and as for washing the hands, that is merely a precaution lest they accidentally touch the sauce.

R. Papa said again: "The bitter herbs should not be allowed to stay any length of time in the sauce, lest the spices draw out the bitterness, and thus make the bitter herbs tasteless."

R. Hisda led Rabbana Ubqa by the arms and the latter preached: "If a man washed his hands prior to dipping the lettuce the first time, he should nevertheless wash his hands again when dipping a second time." The rabbis told this to R. Papa, and remarked that the statement did not refer to the Passover-meal alone, but that it was a general rule; for if it referred to the Passover-meal alone, why should a man wash his hands the second time, he had already performed that duty?

Rejoined R. Papa: "On the contrary! The statement refers to the Passover-meal alone; for where do we find that a second dipping is required, and should it be claimed that the duty had already been performed, hence a second washing of the hands were unnecessary, it should be taken into consideration, that between the first and second washing of the hands the recital of the Haggada and the Hallel prayer was accomplished, and thus the first washing of the hands might have been lost sight of?"

Rabha said: "If a man swallowed unleavened bread (without masticating it), even if he did not taste it, he has acquitted himself of the duty of eating unleavened bread; but if he swallowed the bitter herbs without getting a taste of the bitterness, he has not discharged the duty pertaining to eating bitter herbs. If he swallowed unleavened bread together with bitter herbs, he has acquitted himself of the duty pertaining to unleavened bread, but not of that pertaining to bitter herbs. If he had, however, wrapped the unleavened bread together with the bitter herbs in a leaf (or peel of a fruit) and swallowed it, so that neither the unleavened bread nor the bitter herbs touched the palate, he did not even discharge the duty pertaining to unleavened bread."

R. Shimi bar Ashi said: "Unleavened bread, bitter herbs, and Charoseth must be dealt out to each man separately, but immediately before the Haggada is read, the tables on which the food is served * should not be removed at once, but only from the man who is about to recite." R. Huna, however, said: "The things mentioned were only served to the man who was to recite the Haggada, and he would then deal them out to the others," and the Halakha prevails according to the decree of R. Huna.

For what purpose were the tables removed? Said the disciples of R. Janai: "In order to excite the curiosity of the children present, and induce them to inquire into the reasons."

Abayi while still a child sat at a table in the presence of Rabba, and observed that the table of Rabba was removed. Said Abayi: "We have not yet eaten our meal, why are the tables being removed?" and Rabba replied: "By thy question we are absolved from commencing with the passage: 'Wherefore is this night distinguished from all nights?' and we can immediately proceed with the answer: 'Because we were slaves,'" etc.

* The custom was to serve each man separately on a small table which was placed at the couch upon which the men would lean while partaking of the meal.

Samuel said: It is written [Deut. xvi. 3]: "Bread of affliction" (Le'hem Oni), and as "Oni" can also stand for "proclaiming," the bread may be called "bread of proclamation," *i.e.*, "breadover which proclamations should be made," and thus we have also learned in a Boraitha (with the following supplementary statement): Or "Oni" may still be called "poor," and for the reason that the benediction pertaining to the eating of the unleavened bread should be made over a broken piece after the manner of the poor.

"*Although it is not obligatory to use Charoseth,*" etc. If it is not obligatory, why is it used? For the purpose of neutralizing any poison that might be contained in the bitter herbs, said R. Ami.

"*R. Elazar ben Zadok, however, said: It is obligatory,*" etc. What religious purpose can it serve? Said R. Levi: "It serves as a remembrance of the apple-trees." * R. Johanan, however, said: "It serves as a remembrance of the loam which the Israelites were compelled to prepare when in bondage in Egypt." Said Abayi: Therefore the Charoseth should be made to have an acid taste in memory of the apple-trees, and also thick, in memory of the loam.

We have learned in a Boraitha in support of R. Johanan, viz.: "The spices used in the preparation of the Charoseth were in memory of the straw used in the preparation of the loam, and the Charoseth was in memory of the loam itself." R. Elazar ben Zadok said: "The vendors of spices in Jerusalem would shout on the streets, 'Come and buy spices for the religious purpose'!"

MISHNA: A second cup of wine is poured out; and the son should then inquire of his father (the reasons for the ceremony). If the son is mentally incapacitated to do this, the father is bound to instruct him as follows: Wherefore is this night distinguished from all other nights? That on all other nights we may eat either leavened or unleavened bread, but on this it must be all unleavened; on all other nights we may eat all kinds of herbs, but on this we may only eat bitter herbs; on all other nights we may eat meat, roasted, boiled, or cooked in different ways, but on this night we may only eat it roasted; on

* The apple-tree that is mentioned in Solomon's Song (viii. 5), "Under the apple-tree have I waked thee," upon which is based the legend that when the edict was promulgated in Egypt to slay the male children of the Israelites, the mothers would give birth to their children under apple-trees and thus shield them from the Egyptians.

all other nights we immerse what we eat once, but on this night twice. And according to the powers of comprehension of the child, thus should his father teach him: first, he should inform him of the disgrace (of our ancestors), and then conclude with the recital of the favorable and laudatory passages; he should expound the passage [Deutr. xxvi. 5]: "A Syrian, wandering about, was my father," etc., until the end of the passage [ibid. 9].

GEMARA: The rabbis taught: One who has an intelligent son should be asked by his son; if the son is not sufficiently intelligent, the wife should inquire, and if the wife is not capable, he himself should ask those questions; and even if two scholars who are well versed in the laws of the Passover should sit together at the Passover-meal, one should ask the other the above questions.

The Mishna states, "on all other nights we immerse what we eat once." "Is, then, this done because it is a duty?" asked Rabha. "Therefore," said he, "it should state this: 'On all other nights we are not even bound to immerse what we eat once, but on this night we must do so twice.'"

R. Saphra opposed this: "Shall we tell children of the duty: what do children know of duty? Therefore let the Mishna rather state: 'On all other nights we do not immerse what we eat at all, but on this night we do so twice.'"

MISHNA: Rabbon Gamaliel used to say: Whosoever does not mention the following three things on the Passover has not fulfilled his duty. They are: The paschal sacrifice, the unleavened cakes, and the bitter herbs. The paschal sacrifice is offered because the Lord passed over the houses of our ancestors in Egypt, as it is written [Exod. xii. 27]: "That ye shall say, It is the sacrifice of the Passover unto the Lord, who passed over the houses of the children of Israel in Egypt," etc.; the unleavened bread is eaten because our ancestors were redeemed from Egypt (before they had time to leaven their dough), as it is written [ibid. 34]: "And the people took up their dough before it was leavened," etc.; and bitter herbs are eaten because the Egyptians embittered the lives of our ancestors in Egypt, as it is written [ibid. 1–14]: "And they made their lives bitter," etc. It is therefore incumbent on every person, in all ages, that he should consider it as though he had personally gone forth from Egypt, as it is written [ibid. xiii. 8]: "And thou shalt tell thy son on that day, saying, This is done for the sake of that which the Lord did unto me when I came forth out of Egypt."

We are therefore in duty bound to thank, praise, adore, glorify, extol, honor, bless, exalt, and reverence Him who wrought all these miracles for our ancestors and for us; for He brought us forth from bondage to freedom, He changed our sorrow into joy, our mourning into a feast, He led us from darkness into a great light, and from servitude into redemption: let us therefore say in His presence, "Hallelujah" (sing the Hallel prayer).

How far is the Hallel then to be said? According to Beth Shammai, till [Psalms cxiii. 9]: "He causeth the barren woman to dwell," etc.; but according to Beth Hillel, till [ibid. cxiv. 8]: "Who changeth the rock into a pool of water," etc., and they are to close with a blessing for the redemption. R. Tarphon says: This is the form: "Blessed art thou, O Lord our God, Sovereign of the universe, who hast redeemed us and our ancestors from Egypt," without any further concluding blessing. R. Aqiba, however, says: "(The preceding should be continued as follows:) Thus mayest thou, O Lord our God, and the God of our ancestors, bring us to the peaceable enjoyment of other solemn feasts and sacred seasons which are nigh unto us, that we may rejoice in the rebuilding of thy city and exult in thy service, that we may there eat of the paschal and other sacrifices," etc., until "Blessed art thou, O Lord, who hast redeemed Israel."

GEMARA: Rabha said: One must say, the Lord hath redeemed *us* from Egypt, and he said again: The unleavened bread and the bitter herbs must be lifted up when about to be eaten, but the meat need not be lifted up; and, moreover, if the meat were lifted up, it would appear as if consecrated things were eaten outside (of the Temple).

R. A'ha bar Jacob said: "A blind man is exempt from the recital of the Haggada, and this is adduced from the comparison by analogy of the two passages [Exod. xiii. 8]: '*This* is done,' etc., and [Deut. xxi. 20]: '*This* our son is stubborn,' etc.; and as concerning the latter verse it is taught elsewhere that, if the parents of the son be blind, and hence unable to point him out, the son shall not be stoned, so concerning the former verse it is taught, that a blind man is exempt from the duty of the recital."

Is this indeed the case? Did not Mareimar say that he asked the teachers of the disciples of R. Joseph who recited the Haggada in the house of R. Joseph, and that they answered: "R. Joseph," and who recited the Haggada in the house of R. Shesheth, and they answered: "R. Shesheth" (R. Joseph and

R. Shesheth were both blind)? (The answer is,) both R. Joseph and R. Shesheth hold, that the entire ceremony pertaining to unleavened bread is in these days only a rabbinical institution (and therefore its observance is optional).

"*It is therefore incumbent on every person,*" etc. Said R. Jehoshua ben Levi: "With ten different expressions of praise the entire Book of Psalms was composed, namely: With Nitzua'ch, Nigon, Maskil, Mizmor, Shir, Ashrai, Thehiloh, Thephilah, Hodaah, and Hallelujah.* The most important of all the expressions is that of Hallelujah, because it contains within itself both praise and the Name."

Said R. Jehudah in the name of Samuel: "The song in the Scriptures [Exod. xv.] was sung by Moses with Israel when coming up out of the sea, and who recited the Hallel? The prophets among them ordained, that at all times when they are delivered out of affliction, they should say it on account of their redemption."

We have learned in a Boraitha: R. Meir said: All the praises uttered in the Book of Psalms were uttered by David, as it is written [Psalms lxxii. 20]: "Here are ended the prayers of David the son of Jesse." Do not read "Kolu" (are ended), but "Kol Elu" (all these are).

Who said Hallel? Said R. Jose: "My son Elazar says, that Moses together with Israel said it, when coming up out of the sea, but his colleagues differ with him, maintaining that David said it; but to me my son's opinion seems the more reasonable, for how can it be that the Israelites should slaughter their paschal offerings and take their palm-branches, and not sing a song of praise?"

The rabbis taught: All the songs and hymns in the Book of Psalms were, according to the dictum of R. Elazar, sung by David for his own sake; but R. Jehoshua says, that he did so for the congregation at large, and the sages say, that some were uttered by him for the congregation at large while others were only for his own sake, namely, those which he uttered in the singular were for his own sake and those uttered in the plural were for the community at large. The Psalms containing the terms Nitzua'ch and Nigon were intended for the future; those containing the term Maskil were proclaimed through an inter-

* All these ten expressions are to be found in the original Psalms, and while not all of exactly the same meaning imply more or less the same thing.

preter; where the psalm commences "Le-David Mizmor" the Shekhina first rested upon David and then he sang the psalm, but where it commences "Mizmor Le-David" he first sang the psalm and then the Shekhina rested upon him, whence it may be inferred that the Shekhina does not rest upon one who is in a state of idleness, or sorrow, or laughter, or thoughtlessness, or upon him who indulges in vain words, but only upon one who rejoices in the fulfilment of a duty, as it is written [II Kings iii. 15]: "But now bring me a musician. And it came to pass when the musician played, that the inspiration of the Lord came upon him."

Said R. Jehudah in the name of Rabh: "The same applies to the study of Halakhaoth," and R. Na'hman said: "The same also applies to a good dream."

Is this indeed the case? Did not R. Giddel say in the name of Rabh, that every scholar who sits in the presence of his Master in other than a serious mood cannot retain anything he has learned, so as to be able to repeat it with his lips? as it is written [Solomon's Song v. 13]: "His lips, like roses, dripping with fluid myrrh." (The Hebrew term for roses is "Shoshanim," and for learning the term is "Shanah." The expression for "myrrh" is "mar," which also signifies bitterness. Thus the passage may be interpreted as follows:) "The lips that learn, drip with bitterness (seriousness)." Thus we see that seriousness is necessary when learning, and not rejoicing? This presents no difficulty. Rejoicing is necessary for the teacher, *i.e.*, he should be in an agreeable mood; but the disciple who is learning must be serious, and if you wish, I will tell you that both apply to the teacher, but the former applies before the teacher commenced his lecture and the latter when he had already commenced, as Rabba was wont to do, namely: He would preface his lecture with a joke and bring his disciples into a good humor; then he would proceed in all seriousness and teach the Halakha.

The rabbis taught: Who said the Hallel? R. Elazar said: Moses and Israel said it when standing by the sea. They said what is written [Psalms cxv. 1]: "Not for our sake, O Lord, not for our sake, but unto thy name give glory," and the Holy Spirit replied [Isaiah xlviii. 11]: "For my own sake, for my own sake, will I do it"; and R. Jehudah said: Joshua and Israel said it when they did battle with the kings of the Canaanites. Israel said: "Not for our sake," etc., and the Holy Spirit said:

" For my own sake," etc. R. Elazar of Modai said: Deborah and Barak said it when Sissera waged war upon them. They said: " Not for our sake," and the Holy Spirit replied: " For my own sake," etc. R. Elazar ben Azariah said: King Hezekiah and his companions said it when Sennacherib waged war upon them. They said: " Not for our sake," etc., and the Holy Spirit replied: " For my sake," etc. R. Aqiba said: Hananiah, Mishael, and Azariah said it when Nebuchadnezzar was about to throw them into the fiery furnace. They said: " Not for our sake," etc., and the Holy Spirit replied: " For my sake," etc. R. Jose the Galilean said: Mordechai and Esther said it when Haman the wicked rose up against them. They said: " Not for our sake," etc., and the Holy Spirit replied: " For my sake," etc.; but the sages said, that the prophets among the Israelites arranged so that whenever affliction overtook the Israelites, they said it in the hour of their redemption.

Said R. Hisda: " Each Hallelujah denotes the conclusion of a chapter in Psalms," but Rabba bar R. Huna said: " It denotes the commencement of a chapter." Said R. Hisda: " I saw the Book of Psalms in the hands of R. Hanan bar Rabh, and observed that a Hallelujah stood in the midst of a chapter, whence I infer that there must have been a doubt whether it belonged at the beginning of the chapter or at the end, and for that reason it was placed in the centre." Said R. Hanin the son of Rabha: All agree, that after the verse [Psalms cxlv. 21]: " The praise of the Lord shall my mouth speak: and let all flesh bless His holy name for ever and ever," the Hallelujah is the commencement of the chapter; and after the verse [ibid. cxii. 10]: " The wicked shall see it and be vexed; he will gnash with his teeth and melt away; the longing of the wicked shall perish," the Hallelujah is also the commencement of a chapter; and after the verse [ibid. cxxxv. 2]: " Ye that stand in the house of the Lord, in the courts of the house of our God," the Hallelujah is also the beginning of a chapter. The Karaites * add to these verses, ibid. cx. 7 and ibid. cxi. 10, after both of which the Hallelujah is the beginning of a chapter.

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* There was already in the time of the Talmud a class of men who did not care for the figurative explanation of the Scripture, but who explained it almost literally. They were called Karaier or Baali Mikra, which means men who depended only on the literal translation of the Scriptures, as the Hebrew word Kara means verse. The Karaier of the time of the Gaonim have probably derived their name from them. (See our " History of the Talmud," Chap. Karaites.)

Shall we assume, that the Tanaim also differ concerning the Hallelujah in the above Mishna? We have learned: How far is the Hallel to be said? According to Beth Shammai, till [Psalms cxiii. 9] "the joyful mother of children," etc., but according to Beth Hillel, till [ibid. cxiv. 5] "who changeth the rock into a pool of water"; and we have learned in another Boraitha, according to Beth Shammai, till [ibid. cxiv. 1] "when Israel went forth out of Egypt," and according to Beth Hillel, till [ibid. cxv. 1] "not for our sake, O Lord," etc. Shall we then assume, that those who say till "the joyful mother of children," hold that the Hallelujah which succeeds the verse is the beginning of a chapter, while those who say that the Hallel should be said till "when Israel went forth out of Egypt," hold the Hallelujah to be the end of a chapter? Nay; R. Hisda may answer this according to his own theory, that all agree upon Hallelujah as being the end of a chapter, and that those who in accordance with Beth Shammai say the Hallel till "when Israel went forth out of Egypt," are perfectly correct, as they already include the Hallelujah, but those who according to Beth Shammai in the first Boraitha say the Hallel as far as "the joyful mother of children," mean to include that verse also with the Hallelujah.

Rabba bar R. Huna, however, may answer this according to his theory, that all agree upon Hallelujah as being the beginning of a chapter, and that those who according to Beth Shammai say the Hallel as far as "the joyful mother of children," are correct, while those who say it till "when Israel went forth out of Egypt," mean to *exclude* that verse with the Hallelujah.

"*They are to close with a blessing for the redemption.*" Rabha said: In the reading of the Shema and the Hallel the redemption of Israel should be referred to in the past tense, namely: "Who hast redeemed," etc., while in the prayer embracing the eighteen benedictions it should be referred to in the future tense, namely: "Who wilt redeem," etc., for a prayer should be made to apply to the future and not to the past.

R. Zera said: When the Kiddush is said, the benediction contained therein must read: "Who hast sanctified us with his commandments," etc., but in prayer the sentence should read: "Sanctify us with thy commandments," etc., because such is the prayer for Mercy.

R. Aha bar Jacob said: In the benediction contained in the Kiddush, the exodus from Egypt must be referred to, and this

is derived from a comparison by analogy in the verses [Deutr. xvi. 3]: "That thou mayest remember the day of thy going forth out of Egypt," etc., and [Exod. xx. 8]: "Remember the Sabbath day to keep it holy," whence the inference, that the exodus from Egypt must be remembered in the Kiddush.

Rabba bar Shela said: In the prayer for redemption, the sentence, "He causeth to sprout the foundation of help," should be said, and the benediction pronounced after the recital of the Haphtorah * should be concluded, after the blessing for the redemption, with "the shield of David." As it is written [II Sam. vii. 9]: "I have made thee a great name, like the name of the great," etc., and R. Joseph taught that it signifies the conclusion with "the shield of David."

R. Simeon ben Lakish said: It is written [Gen. xii. 2]: "And I will make of thee a great nation," and this is explanatory to the term "the God of Abraham" used in prayer. "I will bless thee" [ibid.] refers to "the God of Isaac," and "make thy name great" [ibid.] refers to "the God of Jacob"; and lest we assume that the conclusion of the benedictions should also be made to embrace all three terms, therefore the passage [ibid.] ends with "and *thou* shalt be a blessing," signifying that only one (and that is Abraham) should form the concluding blessing.

Rabba said: I discovered that the sages of Pumbaditha once sat and proclaimed the following: "On Sabbath, both in the recital of the Kiddush and in prayer, the concluding blessing must be 'who hath sanctified the Sabbath,' and on a festival also, both in prayer and in the Kiddush, the concluding benediction must be 'who hath sanctified Israel and the time of the festivals.'" Said I to the sages: "On the contrary! On Sabbath and on festivals the concluding blessing of the prayer should be 'who hath sanctified Israel,' but the concluding benediction of the Kiddush on the Sabbath should be 'who hath sanctified the Sabbath,' while on a festival it should be 'who hath sanctified Israel and the time of the festivals,' and I will tell you the reason both for your assertion and my own. Your reason is, that Sabbath is not an institution of the Israelites themselves, but one ordained for them from the beginning; hence it should be said 'who hath sanctified the Sabbath,' but on the festivals, which are instituted by the Israelites themselves, by making

* By Haphtorah is meant the several passages in the Prophets which are read after the reading of the section in the Pentateuch of the day has been ended.

months intercalary or ordinary, it should be said, 'who hath sanctified Israel and the time of the festivals.'

"My reason is, however, that as prayer is generally offered up by an assembly, it should therefore conclude with 'who hath sanctified Israel'; but Kiddush, which is recited by an individual, should conclude with 'who hath sanctified the Sabbath,' and, on festivals only, with 'who hath sanctified Israel and the time of the festivals.'" [This is, however, no argument; for prayer may be offered up by an individual, and Kiddush can be said in an assembly.]

Ula, the son of Rabh, in the presence of Rabha, prayed in accordance with the dictum of the sages of Pumbaditha, and Rabha did not object; whence we may infer that he retracted his former statement and finally agreed with those sages.

R. Nathan the father of R. Huna ben Nathan also prayed in the presence of R. Papa in accordance with the dictum of the elders of Pumbaditha, and R. Papa commended him for doing so.

Rabhina said: "I once came to Sura and prayed in the synagogue in the presence of Mareimar, and the reader prayed in accordance with the dictum of the sages of Pumbaditha. The congregation, however, desired to silence him, when Mareimar said to them: 'Let him proceed; for the Halakha prevails according to the sages of Pumbaditha.'"

MISHNA: A third cup of wine is then poured out, and the benediction after meals is said. After pouring out the fourth cup, the Hallel should be concluded over it and the blessings on the songs of praise be said. A person may drink as much as he chooses between the second and third cups, but not between the third and fourth.

GEMARA: Said R. Hanan to Rabha: "Infer from this Mishna, that for the benediction after meals a cup (of wine) is required," and Rabha replied: "Nay; these four cups serve as a symbol of our freedom, and incidentally they were divided for the accomplishment of several religious duties, but no inference should be made that the benediction after meals requires a cup of wine."

"*And the blessings on the songs of praise* (*should*) *be said.*" What are these blessings? R. Jehudah said: The prayer following the Hallel, namely: "All thy works, O Lord, shall praise thee," etc., and R. Johanan said: The prayer commencing: "The breath of all living," etc.

The rabbis taught: On the fourth cup the Hallel is concluded, and the great Hallel should also be recited thereon. Such is the decree of R. Tarphon, and according to another version, R. Tarphon decreed that the chapter [Psalms xxiii.], "The Lord is my shepherd," etc., should also be said. Whence does the great Hallel commence? Said R. Jehudah: From [Psalms cxxxvi.] "Give thanks unto the Lord," etc., until [ibid. cxxxvii.] "by the rivers of Babylon," etc. R. Johanan, however, said: From [ibid. cxx.] "A song of the degrees," etc., until [ibid. cxxxvii.] "by the rivers of Babylon," etc. R. Aha bar Jacob, however, said: From [ibid. cxxxv. 4] "For Jacob hath the Lord chosen," etc., until [ibid. cxxxvii.] "by the rivers of Babylon," etc.

Why is this called the great Hallel? Said R. Johanan: Because the Holy One, blessed be He, sits in the uppermost height of the world and thence deals out food for all his creatures (as it is written [Psalms cxxxvi. 25, 26]: "Who giveth food unto all flesh; for to eternity endureth his kindness. O give thanks unto the God of the heavens," etc.).

R. Jehoshua ben Levi said: "The twenty-six verses of the chapter [cxxxvi.] apply to the twenty-six generations existing before the Law was given, and who were nourished only by His grace."

R. Hisda said: The passage [ibid. cxxxvi. 1], "O give thanks unto the Lord, for he is good," signifies that the Lord punishes man for evil deeds only by diminishing his (the man's) possessions (goods); *f.i.*, a rich man is punished by the loss of an ox, a poor man by the loss of a sheep, an orphan by the loss of an egg, and a widow by the loss of her hen, etc.

R. Johanan said: The earning of a man's daily bread is twice as laborious to him as the bearing of a child is to a woman, for concerning a woman lying-in it is written [Gen. iii. 16]: "In pain (Be'etzeb) shalt thou bring forth children," while concerning man it is written [ibid. 17]: "In pain (Be'itzabon) shalt thou eat of it all the days of thy life," which implies a greater degree of pain.

R. Johanan said again: The earning of a man's daily bread is beset with more difficulty than the redemption; for concerning the redemption it is written [Gen. xlviii. 16]: "The angel who redeemed me from all evil," while concerning a man's daily bread it is written [ibid. 15]: "The God who fed me from my first being unto this day," whence we see that for redemption it

only required an angel, while for the sustenance of a man it required God's providence.

R. Jehoshua ben Levi said: When the Lord said to Adam [Gen. iii. 18]: "And thorns and thistles shall it (the earth) bring forth to thee," tears ran from Adam's eyes, and he said: "Creator of the Universe! Shall then I and my ass eat of the same crib?" but when he heard the Lord say [ibid. 19]: "In the sweat of thy face shalt thou eat bread," he felt relieved. Said R. Simeon ben Lakish: "It were better for us had we been left in our original condition, when we were doomed to eat the herbs of the field; then we would not have been obliged to work so hard for our bread." * Said Abayi: "We have not yet been released from that doom, for there are quite a number of herbs which we can eat directly from the field."

R. Shezbi said in the name of R. Elazar ben Azariah: "The earning of a man's daily bread is as difficult of accomplishment as was the dividing of the Red Sea for the Israelites when going out of Egypt."

If it is necessary to recite the great Hallel, why must the small Hallel be recited at the Passover-meal? Because the small Hallel contains the following five things: "The exodus from Egypt, the dividing of the Red Sea, the giving of the Law to the Israelites, the resurrection of the dead, and the sufferings in the time of the Messiah." The exodus from Egypt, as it is written [Psalms cxiv. 1]: "When Israel went forth out of Egypt"; the dividing of the Red Sea, as it is said [ibid. 3]: "The sea beheld it, and fled"; the giving of the Law, as it is said [ibid. 6]: "Ye mountains, that ye skip like wethers," referring to the time when the Law was given to Israel; the resurrection of the dead, as it is said [ibid. cxvi. 9]: "I will walk before the Lord in the lands of life"; and the sufferings in the time of the Messiah, as it is written [ibid. cxv. 1]: "Not for our sake, O Lord," etc., commenting upon which, R. Johanan said that it refers to the time of the war of Gog and Magog (which will occur just before the coming of the Messiah and will be the worst period for the Israelites to pass through).

R. Na'hman bar Itz'hak said: The small Hallel is recited for another reason, namely, because it contains the transposition of the souls of the righteous from Gehenna to Heaven, as it is

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* This explanation of the text is according to the commentary of Rabbi Samuel Aidlash (Marsha').

written [Psalms cxvi. 4]: "I beseech thee, O Lord! release my soul" (from Gehenna).

Hez'kyah said: There is still another reason why the small Hallel should be recited, namely, because it is mentioned that Hananiah, Mishael, and Azariah were thrown into the fiery furnace and came out alive: for the passage, "Not for our sake, O Lord," was said by Hananiah; "but unto thy name give glory," was said by Mishael, and "for the sake of thy kindness, for the sake of thy truth," was said by Azariah; and the next passage, "Wherefore should the nations say, Where now is their God?" they all three said together. This happened when they were thrown into the fiery furnace, and when they came out Hananiah said the passage [Psalms cxvii.], "Praise the Lord, all ye nations"; Mishael said: "Praise him, all ye people." "For mighty is his kindness over us," was said by Azariah, and "And the truth of the Lord endureth forever, Hallelujah!" all three said in unison. According to another version, this last sentence, "The truth of the Lord endureth forever," was said by the angel Gabriel, because it was said that when Nimrod the wicked threw Abraham our father into the fiery furnace, the angel Gabriel said to the Lord: "Permit me to go and make the furnace cold, that it may do no harm to Abraham," and the Holy One, blessed be He, replied: "Abraham is now the only one who has forsaken idolatry and believes in God, and I am the only One in the world, hence it would be but fair that the only One should rescue the other exception," and as the Holy One, blessed be He, would not deprive any one creature of the reward due, He said to Gabriel: "Thou shalt have an opportunity to rescue three of his children from the fiery furnace, while I Myself shall rescue him." (Whereupon Gabriel is supposed to have said: "The truth of the Lord endureth forever.")

R. Simeon of Shiloni preached: When Nebuchadnezzar the wicked threw Hananiah, Mishael, and Azariah into the fiery furnace, the angel Jurqami, master of the waters, came before the Lord and said: "Permit me to go and cool the furnace, so that I might rescue the righteous from death." Said Gabriel to him: "This would not prove the power of the Lord, for it is well known that water can extinguish fire, and thou art the master of waters; hence it would be but commonplace if through thy means the furnace were cooled. Rather should I, who am the master of fire, be permitted to go, and I shall remove the fire on the inside and make it so much more fierce on the

outside, which will be a miracle within a miracle; for a master of fire will make the fire cool in one place and so much hotter in another." Whereupon the Lord said: "Go thou, Gabriel, and do so," and Gabriel said: "The truth of the Lord endureth forever."

R. Nathan said: The truth of the Lord endureth forever, was said by the fish of the sea, and this is in accordance with the dictum of R. Huna, who said: When the Israelites were brought forth out of Egypt, they were still sceptics, and when taken through the Red Sea, they said: "Surely the Egyptians have passed through the sea at another point, and will overtake and slay us." So the Lord said to the master of the sea: "Throw out all the bodies of the Egyptians in the sea on dry land, so that the Israelites may see them," and the master of the sea replied: "Creator of the Universe! Is there then a slave who was given a gift by his master, and was then deprived of it again?" So the Lord replied: "I shall return to thee half as many again as thou shalt throw out," and the master of the sea said again: "Creator of the Universe! Is there then a slave who should demand restitution of his master?" and the Lord answered again: "The stream of Kishon shall be thy pledge." Whereupon all the bodies of the Egyptians were thrown up on the dry land, and Israel saw them, as it is written [Exod. xiv. 30]: "And Israel saw the Egyptians dead upon the shore of the sea." Whence do we know that the Lord promised half as many again in return for the bodies of the Egyptians? Because concerning the Egyptians it is said [ibid. xiv. 7]: "And he took six hundred chariots," while concerning Sissera it is said [Judges iv. 3]: "For he had nine hundred chariots of iron."

When Sissera came to wage war upon the Israelites, he came with iron spears; but the Lord changed the position of the stars, as it is written [Judges v. 20]: "From heaven they fought: the stars in their courses fought against Sissera." As soon as the stars moved, the spears of Sissera's army became heated, so the men went to cool them in the stream of Kishon, and then the Lord said to the stream of Kishon: "Thou wast pledged. Go now, and redeem thy pledge." Whereupon the stream threw them all into the sea, as it is written [ibid. 21]: "The stream of Kishon swept them away, that ancient stream, the stream of Kishon." Why is it called the ancient stream? It is so called, because it was given as a pledge in ancient time. Then, when all those men were swept into the sea, the fishes, which were

thus provided with so much food, said: "The truth of the Lord endureth forever."

Rabha preached: It is written [Psalms cxvi. 1]: "It is lovely to me, that the Lord heareth my voice." The congregation of Israel (Kneseth Israel) said to the Holy One, blessed be He: "Lord of the Universe! When do I know that I have found favor in thine eyes, when thou hearest my prayer?" Further, it is written [ibid. 6]: "I was in misery, and He helped me." The congregation of Israel said to the Lord: "Lord of the Universe! Although I am deficient in the fulfilment of religious duties, I am nevertheless thine; hence it would be seemly that thou shouldest help me."

R. Kahana said: When R. Ishmael bar R. Jose became ill, Rabbi sent to him the following request: "Tell us two or three things which thou wert wont to say in the name of thy father," and R. Ishmael replied: So said my father: The passage [Psalms cxvii. 1], "Praise the Lord, all ye nations," signifies that all the nations should praise Him, on account of the power and the miracles with which He has helped the nations, and so much the more should we Israelites praise him; for concerning us it is written [ibid. 2]: "For mighty is his kindness over us." My father also said: In the future, Egypt will bring a gift to our Messiah, and he will hesitate whether to accept it or not, when the Lord will say unto him: "Accept it, for they were hospitable to my children in their land," and it is written [Psalms lxviii. 32]: "Nobles will come out of Egypt" (with gifts). Seeing this, Ethiopia will say: "If the gifts of Egypt, which held the Israelites in bondage, were accepted, surely gifts from us, who never did them any injury, will be so much the more accepted." So the Lord will say to the Messiah: "Accept their gifts also," and it is written [ibid.]: "Ethiopia will stretch forth her hands eagerly unto God." When Rome shall see this, they will say: "Surely if the gifts of the Ethiopians, who are nowise near to the Israelites, were accepted, gifts from us, who are their brethren,* will be accepted." And the Lord said to the angel Gabriel: "Rebuke the wild beasts" [Psalms lxviii. 31], and R. Hyya bar Abba in the name of R. Johanan explains this to mean: "Rebuke the wild beasts, whose quills are used solely to write decrees to the detriment of the Israelites," and the

* The Talmud states that the Romans were descendants of the Edomites, children of Edom or Esau, the brothers of Jacob, as it is written [Gen. xxxvi. 1]: "The generations of Esau, who is Edom."

further passage [ibid.], "the troop of steers among the calves of nations," signifies that they (the Romans) were like a troop who slew the greatest among the Israelites like calves who had no owners. "That hasten along with presents of silver," signifies that they stretch forth their hands to receive bribes from the Israelites, promising them permission to carry out the ordinances of their law; but when in receipt of the bribe violate their promises and prevent the Israelites from performing their religious duties. "He scattereth the nations that are eager for the fight," signifies the following: "What was the cause of the scattering of Israel among the nations? Their own eagerness for strife."

Finally, R. Ishmael sent to them the following saying of his father: "There will be a city containing 365 market-places; each market will have 365 stalls; each stall will have 365 steps; and each step will contain merchandise sufficient for the entire world." So R. Simeon the son of Rabbi asked his father, according to others he asked R. Ishmael ben Jose: "To whom will such a city belong?" and the answer was: "To thee, to thy colleagues, and to the friends of thy colleagues (*i.e.*, to all righteous men), as it is written [Isaiah xxiii. 18]: 'And her gain and her hire shall be holy to the Lord; it shall not be treasured nor laid up; but for those that dwell before the Lord shall her gain be, to eat to fulness, and for magnificent clothing.'"

[Said R. Samuel ben Na'hmeni in the name of R. Jonathan: The passage [Psalms cxviii. 21], "I will thank thee, for thou hast answered me," was said by David. The next passage [ibid. 22], "The stone which the builders rejected is become the chief corner-stone," was said by Jesse (when David was chosen king). The following passage [ibid. 23], "From the Lord is this come to pass," was said by David's brothers, and the next passage [ibid. 24], "This is the day which the Lord hath made," was said by Samuel. "We beseech thee, O Lord! save us now" [ibid. 25], was said by the brothers of David. "We beseech thee, O Lord! Send us now prosperity" [ibid. ibid.], was said by David himself. "Blessed be he that cometh in the name of the Lord" [ibid. 26], was said by Jesse, and "We bless you out of the house of the Lord" [ibid. ibid.], was said by Samuel. "God is the Lord, and he giveth us light" [ibid. 27], was said by all. "Bind the festive sacrifice with cords" [ibid. ibid.], was said by Samuel. "Thou art my God, and I will thank thee" [ibid. 28], was said by David, and "My God, I will exalt thee" [ibid.], was said by all.]

R. Avira preached at one time, saying it in the name of R. Ami, and at another time quoting it in the name of R. Assi: It is written [Gen. xxi. 8]: "And the child grew and was weaned," which signifies that the Lord will prepare a meal for the children of Isaac on the day when he will receive them into his favor. After the meal and the beverages will have been consumed, the Lord will hand the cup used for the benediction after meals to Abraham, and Abraham will say: "I am not worthy; for from me issued forth Ishmael." Isaac will then be asked to pronounce the benediction, but he will refuse on the ground that from him issued forth Esau. Jacob will then be offered the cup, but he will refuse on the ground that he married two sisters, which was afterwards prohibited by Law. Moses will then be requested to say the benediction, but he also will refuse, on the ground that he was not destined to enter the promised land, neither before nor after his death. Joshua will then be asked to accept the cup, and he also will refuse, saying: "I am not worthy, for I died childless." David will finally be offered the cup, and he will accept it, saying: "I am indeed worthy and shall recite the benediction," as it is written [Psalms cxvi. 13]: "The cup of salvation will I lift up, and on the name of the Lord will I call."

MISHNA: It is unlawful to conclude the eating of the paschal sacrifice with a dessert.

GEMARA: What is meant by a dessert? Said Rabh: "After the paschal sacrifice had been eaten in one company, one should not go and eat aught in another company," and Samuel said: "The literal meaning should be taken, as, for instance, I am used to eating mushrooms for dessert, and Abba (Rabh) eats doves for dessert."

R. Hinana bar Shila and R. Johanan both say: "It means, that no dates, parched corn, or nuts should be eaten afterwards," and so we have also learned in a Boraitha.

R. Joseph said in the name of R. Jehudah, quoting Samuel: "After the unleavened bread, dessert may be eaten." Shall we assume that the Mishna supports this statement by teaching that after the paschal sacrifice no dessert should be eaten, but after the unleavened bread it may? Nay; on the contrary, after unleavened bread, which has a hardly perceptible taste, dessert must certainly not be eaten, but lest we assume that after the paschal sacrifice, which is fat and has a pungent savor, we may do so, hence we are taught that it is unlawful.

And objection was made: "We have learned that sponge-cake, honey-cake, and sugar-cake may be eaten to satiety, providing a piece of unleavened bread to the size of an olive be eaten afterwards," whence we see that those sweetmeats may be eaten before but not afterwards. Nay; this is merely to teach us, that not only does a man fulfil by eating unleavened bread when he is hungry, but even if he does so when satiated, he also acquits himself of the duty.

Rabha said: In the present day, the law pertaining to unleavened bread is biblical, but that pertaining to bitter herbs is rabbinical. Why is the law pertaining to bitter herbs rabbinical? Because the biblical law is, that it should be eaten with the paschal sacrifice; but where the latter does not exist, the bitter herbs need not be eaten? Would this not apply also to the unleavened bread? Concerning unleavened bread there is a separate and distinct commandment, namely [Exod. xii. 18]: "In the first month, on the fourteenth day of the month, at evening, shall ye eat unleavened bread." R. A'ha bar Jacob, however, said, that the law pertaining to unleavened bread is also rabbinical, and the passage just quoted refers to such as were incapacitated to eat of the paschal sacrifice, and who might assume that they were exempt from eating unleavened bread also, hence that passage imposes upon them the duty.

The following Boraitha supports the statement of Rabha: The passage [Deut. xvi. 8], "Six days shalt thou eat unleavened bread, and on the seventh day shall be a solemn assembly to the Lord thy God," implying that on the seventh day eating of unleavened bread is not obligatory: the same is the case with the other six days. Why so? Because the seventh day was excluded from the rule governing the whole seven days, and as there is a tradition that an exception holds good for the entire rule, so the exception of the seventh day holds good for the entire six; *i.e.*, if it is not obligatory to eat unleavened bread on the seventh day, it is also not obligatory on the other six days. Shall we assume, then, that it is also not obligatory on the first night? for that reason it is expressly written: "At evening shall ye eat unleavened bread," which makes it obligatory for that evening.

Shall we say that as the paschal sacrifice was a duty only when the Temple was in existence, so it is with the unleavened bread, that after the destruction of the Temple it is not obligatory; therefore the passage says: "In the evening ye shall

eat Matzoth," consequently the passage made this obligatory forever.

MISHNA: If any of the company fall asleep during the meal, they may eat of the paschal sacrifice afterwards; but if the whole company have fallen asleep, they must not again eat thereof (upon awakening). R. Jose said: "If they are only drowsy, they may eat it, but if they fall fast asleep, they must not eat of it afterwards."

The paschal offering does, after the hour of midnight, render the hands unclean. Sacrifices which are rejected or that have remained beyond their prescribed time, also render the hands unclean.

GEMARA: Abayi was sitting before Rabba. The former said that the Master was asleep, and he said to him: "Are you asleep, Master?" and he answered: "I am only drowsy"; and we have learned in a Mishna that if they are drowsy they may eat, but if they are fast asleep they must not eat of it afterwards.

Who is the Tana who holds that after midnight on the Passover eve the remaining portion of the sacrifice is called a remainder within the meaning of the law? Said R. Joseph: "R. Elazar ben Azariah."

Said Rabha: According to R. Elazar ben Azariah, if a man ate unleavened bread after midnight on the Passover eve, he has not accomplished his duty. Is this not self-evident? If the unleavened bread is put on a par with the paschal sacrifice, then surely after midnight the time during which it must be eaten has elapsed. We might assume that, because the passage finally separates the unleavened bread from the paschal sacrifice, it cannot be classed with the latter, therefore we are taught that it remains on a par with the paschal sacrifice, as stated in the passage, Exod. xii. 8.

MISHNA: Whosoever has said the blessing on the paschal offering is not bound to say that on the festal offering, but one who has said the blessing on the festal offering is bound to say it on the paschal offering also. Such is the dictum of R. Ishmael; but R. Aqiba said: "Neither of these absolves from the obligation of saying the other blessing."

GEMARA: R. Simlai once happened to be at a celebration of the redemption of a first-born son, and he was asked the following: "It is self-evident that the benediction, 'who hath sanctified us with his commandments and has commanded us the

redemption of our son,' should be said by the father, but the other benediction, namely, ' who hath permitted us to live to this time,' who is to say this—the priest, because he derives material benefit therefrom, or also the father, because he fulfils the religious duty ?'' R. Simlai did not know; so he went to the college and inquired, when he was told that the father of the son must pronounce both benedictions, and so the Halakha prevails.

APPENDIX A.

(EXPLANATORY OF THE FIRST MISHNA—PAGE 1.)

THIS Mishna we have explained in a different manner from that employed by the Amoraim, in our monthly periodical *Barqai* (in the note on p. 17); and as this explanation has been approved by many eminent scholars, we translate it here for the English public. The explanation quoted was in reply to the attempt of the learned Mr. Buhock of Cherson to interpret this Mishna, in an article printed in the same publication.

After a short preface reviewing the statement of Buhock, the note in question reads:

But before we endeavor to explain this Mishna according to its literal meaning, we will preface that on two points we cannot agree with the learned writer of this article, while on a third we can do so only partially:

(1) That the word " Or," which the Tanaim have used in many Mishnas and Boraithas, signifies " twilight," when there is still some light lingering. Aside from the fact that reason does not admit of this interpretation, we have against it R. Eliezer b. Jacob, who fixes the time from " Or " as that when work is prohibited, and that is only dawn, or sunrise, as the sages of the Gemara also admit; and we must say that he used in his decision a word the meaning of which was known to the whole world, as his colleague designates the " time after sunrise " by a term so well known that it is not subject to doubts. Then, as we see that all the sages understood " Or " to mean daybreak, we need not go out of our way to give to it another meaning. And inasmuch as we are aware that the Tana desired to fix the time so that all should know it, why should he, in such a case, have used

an obscure expression, the meaning of which would be subsequently a matter of dispute?

(2) That when our Mishna used the expression "the Chometz," instead of "Chometz," it refers to the Chometz mentioned in Scripture. But concerning the Sukka, the Tana has not made it known beforehand that it is obligatory to sit in a Sukka on certain days; and similarly of the Lulab and the citron. And notwithstanding this, he begins, "*A* Sukka which is high," etc., and not "*the* Sukka," doubtless resting upon the presumption that the scriptural law is known. Therefore we must find another leaven which was known at that time, distinct from the leaven of the Bible, and which was searched for; for of biblical leaven this Tana says further: "The place where *leaven* is not brought," not "*the* leaven."

(3) Concerning Mr. Buhock's statement, that when the Tana speaks of the usage in his time to search for leaven, he also fixed the time and quoted the Halakha ordaining that it be accomplished by the light of a candle, we can only agree with the first half of the statement, viz., that the Tana speaks of the usage. But we deny that it was his purpose to fix the time and quote Halakhas in question; for in that case he would also have specified the time *until* when the search should be made, in the beginning of the Mishna, as he did in specifying the time of reading Shema, of which he says in the very beginning, "from this time to this time." And if we should say that he wished to fix the time of search immediately after a man's coming from the field or from work, so that the duty should not be forgotten, in that case he had also to specify the time of ending it, similar to his treatment of Shema, which was also fixed when one comes from the field, in order that it should not be forgotten, as it is said in Berachoth: "That he should not say, 'I will eat first, will drink first,' etc., and is then found sleeping the whole night." Nevertheless, they fixed times, one till the end of the first watch, one till midnight, and one till dawn, in the very same place where the time of the beginning is specified. But here, at the end of the Mishna even, he does not fix any time for stopping, as will be explained further on. Therefore we must seek another manner of explaining this Mishna, and in the same connection express our opinion about all the Mishnayoth which begin with diverse Halakhas before stating the source and obligatoriness of these Halakhas. We will proceed to do this after one other prefatory remark, viz., that our sages have long ago permitted us to

interpret the Mishna in a manner different from the sages of the Gemara; that is to say, not to be at variance with the Halakhas which are decided in the Gemara, but only in the interpretation of the meaning of the Mishna, which the Babylonians did not always understand, owing to their remoteness in place and time. (See A. H. Weiss, Vol. III., p. 17, etc., and "He'halutz," V., p. 33; and also Tosphath Yom Tob, Tract Nazir, V., 5.) And sometimes even when they understood it, seeing that it would not agree with the Halakha which was customary, or even with the saying of a certain great Amora with whom they could not differ, they strained the Mishna, discovered it in different readings, and made strange comment, to make it correspond with the customary Halakha or the opinion of the Amora. Therefore they made deductions and additions at their pleasure. And now, without touching on the Halakhas concerning the search of leaven, we will investigate the origin of this usage in the times of the Mishna.

The custom was in the East in former days, as well as at the present time, to eat fresh bread every day; and in every household bread was baked daily (for bread of bakers was rare, and the populace scarcely used it). And on the day before Passover, when the first meal, *i.e.*, of leavened bread, had to be taken in the morning not later than the fourth hour (*i.e.*, 10 A.M.), they baked their bread in good time, before daybreak, and after this they searched for any leaven that might have been left, gathered it to one place, and cleared the house of it; and as dawn had not yet illuminated the house, they used a candle to make search in all those places where they were liable to carry leaven. The Tana of our Mishna, who everywhere used as a support the custom well known in his time, without beginning to relate the *law* anew (of which the best proof is the mention of the Lulab, as he begins the Halakha, "A purloined Lulab is invalid," before he has stated that the palm-boughs mentioned in the Bible are equivalent to the Lulab; and if he did not make reference to the custom known to all in his time, he should have declared what the palm-branches meant), stated, here also, this custom as follows: "'Or' (at daybreak) on the fourteenth, search is made (by the women) for the leaven (which they are at the time using), by candle-light (that it may be transferred to other places before the sun illuminates the house)." And he approves the custom by saying: "A place where leaven is not carried does not require searching"; that is to say, this custom is proof that

leaven need not be searched for in other places, and at other times.

"Beth Shammai say, 'also two rows (of barrels) ranging across the whole cellar' (the women searched for leaven in, because they were accustomed to go there with hands fresh from kneading leavened dough to fetch the yeast obtained from the wine for baking); but Beth Hillel say, 'only the upper row of the two outer rows' (they made search in, because only from those rows did they fetch the yeast, but not from all barrels of the cellar). (And) it is not apprehended that a weasel had transferred it from one spot to another, and from one house to another; for if so, then it will be feared, from court to court, etc. R. Jehudah says: Search was made at daybreak on the 14th, and on the morning, and at the time of clearing (*i.e.*, when the bread is baked, when it is eaten, and when it is burned), and the sages say: If search has not been made at daybreak on the 14th, it is made on the 14th (*i.e.*, in the morning); if not on the 14th, it is done on the intermediate days; if not on these days, it may be done after the festival (that is to say, the men are under no particular obligation, and have no particular time prescribed for them, to make search for the leaven, and it is not feared lest they forget, for even if that occur, they lose nothing)."

This was the form of the Mishna which the arranger of the Mishnas had before him, or had heard orally, and he was not anxious to explain its meaning, as in his time also the custom had not yet undergone any change. But some copyist, who did not understand the relevancy of the cellar to the leaven, added at the margin: "Why were the two rows of barrels in a cellar mentioned? That is a place whither leaven is carried." Later this marginal note was inserted into the text of the Mishna. The sages of the Gemara, truly, were not satisfied with this remark, and put the question: "Who spoke here of a cellar?" For they thought that this Mishna stated the Halakha, and therefore were anxious to ascertain the meaning of the word "Or." R. Huna explained it to mean "Nog'hi" ("light," in Aramaic), *i.e.*, the beginning of the day; and R. Jehudah "before daybreak," as in the language of his part of the country it designated the time before daybreak, when it is yet night. The other also reasoned, and said: "At the first glance, it seems 'Nog'hi' means 'light,'" etc.; and as it was perplexing to their minds why candle-light was needed for the search, they sought for reasons in Scripture, and used passages thereof in support of

their opinions, arguments from analogies of expression, etc., etc., which did not enter the Tana's mind at all.

And it is manifest that in all the Boraithoth in which the word "Or" was used, it means "dawn," which was the latest time for all duties to be performed in the night. Even in the Boraitha in Yoma, stating: "'Or' on the Day of Atonement the prayer should be so and so," etc., the word is also used to designate the whole night till the break of day, during which the prayer is yet called "prayer of the evening"; but that after daybreak is called "morning prayer."

APPENDIX B.

(SUPPLEMENTARY TO SECOND NOTE, PAGE 66.)

IT seems to us necessary, in explanation of this curious passage, to make the following extract from our "History of Amulets":

It is no wonder that the change of one letter in a word resulted in the writing of volumes upon volumes and the adoption of hundreds of restrictions.

The following instance will illustrate this: R. Jehudah being once in a company of friends advised the housekeeper not to use for bread-making any other water than that kept in the house, and he expressed it in six words:

אשה לא תלוש אלא במים שלנו

(A woman should not knead with other than *our* water). The reason was that other water might have been poisoned by snakes, which are abundant in those countries. R. Jehudah said this in reference to the dispute in the *Boraitha* (Terumath VI.) where one maintained that bread made with water kept in an uncovered vessel outside the house should be burnt, even if it were bread of *Terumah*. R. Nehemiah was of the opinion that the snake poison loses its power when brought into contact with fire, and therefore that the bread might be used. To avoid this, R. Jehudah advised the use of *domestic* water, which he expressed by the word (שלנו) "our."

R. Mathna, who lived sixty years after R. Jehudah, happened to be in the city of "Papuni" and on a certain occasion (prob-

ably having some objection to the use of the water of that city) lectured in public about using the water which collects in the public streets, and he quoted R. Jehudah's original words: "A woman should not knead with other than *our* water." The people present understood R. Mathna to have brought some water along with him because of his using the word "our." They therefore came to him the next day with vessels to get some of this water. Then R. Mathna explained in the Talmudic language that he meant domestic water, namely

(אנא במיא דביתא קאמרינא)

using the word (דביתא) (d'baitha with an א) at the end, having the meaning "domestic." In course of time the word *d'baitha* was incorrectly copied and the Aleph (א) at the end was changed to Vav (ו), which would make it mean "which has remained over night." The Rabanim, finding the word in this changed form (דביתו), concluded that it related to the Matzoth (unleavened bread) used at the Passover and therefore maintained that the water used in making Matzoth must remain over night in the house before it is used. Neither R. Jehudah nor R. Mathna mentioned this, but it was assumed simply because these words of R. Jehudah are found in that tract of the Talmud which treats of the Passover feast. The later Rabanim wrote volume after volume upon this subject (see our journal *Ha-Kol*, Nos. 286, 287, 290, etc.). Still they could not give the least explanation of why they referred this to the Matzoth, and they did not care to investigate where R. Jehudah got it from nor how Matzoth were kneaded before his time.

END OF TRACT PESACHIM.

NEW EDITION

OF THE

BABYLONIAN TALMUD

Original Text, Edited, Corrected, Formulated, and Translated into English

BY

MICHAEL L. RODKINSON

SECTION MOED (FESTIVALS)

TRACTS YOMAH AND HAGIGA

Volume VI.

NEW YORK
NEW TALMUD PUBLISHING COMPANY
54 East 106th Street

EXPLANATORY REMARKS.

In our translation we adopted these principles:

1. *Tenan* of the original—We have learned in a Mishna; *Tania*—We have learned in a Boraitha; *Itemar*—It was taught.

2. Questions are indicated by the interrogation point, and are immediately followed by the answers, without being so marked.

3. When in the original there occur two statements separated by the phrase, *Lishna achrena* or *Waïbayith Aema* or *Ikha d'amri* (literally, "otherwise interpreted"), we translate only the second.

4. As the pages of the original are indicated in our new Hebrew edition, it is not deemed necessary to mark them in the English edition, this being only a translation from the latter.

5. Words or passages enclosed in round parentheses ( ) denote the explanation rendered by Rashi to the foregoing sentence or word. Square parentheses [ ] contain commentaries by authorities of the last period of construction of the Gemara.

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TO THE

VENERABLE PRESIDENT OF THE HEBREW UNION COLLEGE
AND OF THE CENTRAL AMERICAN RABBIS' CONFERENCE

THE REV. DR. ISAAC M. WISE

AT HIS

EIGHTIETH BIRTHDAY

THIS VOLUME WITH THE ENTIRE SECTION MOED, IS MOST RESPECTFULLY DEDICATED BY HIS SINCERE FRIEND

MICHAEL L. RODKINSON

NEW YORK, 1899.

MOST HONORED RABBI:

When, five years ago, in the month of October, I had the honor to visit you, and then expressed my sorrow in not being able to attend your seventy-fifth birthday, I promised you that I would write a work and dedicate it to you for your eightieth birthday. Now, after the lapse of five years, I praise God that He has preserved us both. I have fulfilled my promise, and written a work on the History of the Talmud, which I believe to be of some value, with the intention of dedicating it to you, but my circumstances do not allow me to publish it in time for your celebration. However, I redeem my promise in dedicating to you the Section Moed, which at that time I had no intention of translating into English.

I hope to see your ninetieth birthday, when, among all your disciples and admirers who will celebrate it, I also may take part.

M. L. R.

TRACT YOMAH (DAY OF ATONEMENT)

EXPRESSION OF THANKS.

WITH the issue of this volume this section is almost complete (the last two volumes being in press), and I deem it my duty to express my heartfelt thanks to my patrons and supporters during the last three years, ever since my work was undertaken. Through their support I have been enabled to reach my present position. This is the first time in the history of the Talmud that an entire section of it was translated into a living and comprehensible language, making it easily understood even to a layman. The synopsis of each tract indicates where the most interesting ethical and folkloristic portions may be found, thereby rendering the various tracts readily understood, even by one who is not a student.

Three years ago, when I made up my mind to begin this work, I scarcely dared hope that thirteen * tracts of the most difficult part of the Talmud would be translated, more especially that seven of them, the most voluminous, would be published in the course of two years. Notwithstanding all the obstacles that were laid in my way by personal enemies, and notwithstanding all the financial difficulties † which I had to surmount, I have succeeded in accomplishing the work mentioned above, chiefly through the aid of the few gentlemen who have encouraged me by enlisting their sympathy and interest in my work, and who also supported me financially,‡ not as a matter of charity, but

---

* The translation of one tract of section Jurisprudence is also already completed.

† It must be borne in mind that the cost of publishing one volume is $700 or more.

‡ In my "History of the Talmud" I take notice of the writers who complain that the Jewish people were always opposed to the translation of Jewish lore into foreign languages. They, moreover, assert that all the translations of the Bible, and all the collections of Hebrew manuscripts, as also the Massorah, were supported by different governments and private Gentiles. Zunz ("Ges. Schr.," vol. i., p. 296), in recommending a translation of the Talmud, also relates (p. 273) that the Russian Government, in July, 1829, paid 12,000 thalers to the Abbé Chiarini for a translation of the Talmud in the French language. In one of his works, issued at Paris, the latter complains that the Hebrews opposed and prevented him from accomplishing his commission. See also Wolfsohn's "Jeschurun," p. 242, Breslau,

in the form of a subscription and payment in advance for the forthcoming volumes, for the issue of which in due time they have reposed their confidence in me.

Many friends have assured me that this work is destined to become historical, and as the Talmud has indeed a great history, the first translation of it in a foreign tongue cannot fail to attract attention, and therefore I trust that my work will add somewhat in demonstrating its value and importance. In that event all the names of my supporters and sympathizers who will be known to the future historian (which may be after my death) will be mentioned with honor.

With this view in mind, I enumerate herewith with grateful acknowledgment the names of my supporters since this work began, and especially those who aided me during the last two months of the past year, and enabled me to publish the present volume by paying for from twenty-seven to ten forthcoming volumes, at the rate of $2.50 each, in advance. May God bless and prosper them in all their undertakings!

I also extend my thanks to all my subscribers, far and near, for their kindness in the past, hoping at the same time that it will be extended in the future. I am also grateful to the rabbis of the city of New York, who, with very few exceptions, sympathize with my work, and have assisted me with their influence and subscriptions.

The list of patrons is arranged alphabetically. The asterisk indicates that the volumes already delivered and paid for are NOT included. Asterisk and dagger indicate also the subscription for two sets. The list of names on page ix shows those added during the last two months of the past year.

Cowen, Newman	20	volumes.
Hirsch, Baroness Clara de	30	"
Lewisohn, Leonard	20	"
Rothschild, Baron Edmond de (through the Grand Rabbin de France, Zadoc Kahn,[1] who is himself a subscriber)	25	"
Seligman, Prof. Edwin R. A.*†	20	"
Sulzberger, Judge Mayer	24	"

1804. It is also a well-known fact that Emperor Nicholas I. of Russia assigned 100,000 rubles for a translation of the Talmud; and that Dr. Pinner, who translated tract Berachoth into German, a work considered of little merit by all scholars, nevertheless received 10,000 rubles from him. A German translation of the Talmud is now being published through the effort of Gentiles. I am proud to say that I am the first who has not sought the support of Gentiles, and that all that I have done was brought about by my coreligionists.

[1] חמרא למריה טיבותא לשקיה

Abraham, A.,* Brooklyn	20	volumes.
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Rice, Isaac L.*	10	"
Saks, Andrew *	27	"

I have to thank once more the following gentlemen and lady, who, besides their subscriptions, have also exerted their influence in insuring me a considerable number of subscribers:

Messrs. Samuel Greenbaum, Daniel P. Hays, Isaiah Josephi, Andrew Saks, and Miss Annette Kohn.

I trust that in the last volume of this section this list of supporters will be greatly increased, as I still need further assistance, till the section is completed, when I am confident that I will derive good financial returns from its sale to booksellers and general agents, who are awaiting the completion of the section, to be sold *en masse* as a complete work by itself.

I am hopeful that the coming generation will be grateful to all those who took part in opening a sealed book to the eyes of the world.

Finally, I express my thanks to my printer, ex-Congressman Hon. Joseph J. Little, who has granted me considerable credit in his establishment, thereby greatly lightening the burden of my work; also to his proofreader for calling my attention to many matters which seemed to him imperfect, and whose assistance I value greatly; and last, but not least, to Mr. A. S. Freidus of the New York Public Library, for many valuable suggestions in bibliographical and other matters.

MICHAEL L. RODKINSON.

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INTRODUCTION TO TRACT YOMAH, OR THE DAY OF ATONEMENT.

THE first seven chapters treat of the manner in which the Day of Atonement was celebrated in the second Temple: the different sacrifices brought on that day, the preparation of the high-priest for his ministry, and the order of service as he performed it, entering fully into minute details of every circumstance connected therewith. Although all this has an historical value only, we cannot refrain from giving an introduction to this tract, on account of that day being so different from all the holidays of Israel.

All the festivals, although they were not observed all the time during the first Temple, were nevertheless observed by some of the kings, who invoked the people to celebrate them some of the time; *e.g.*, the Feast of Passover, with all its sacrifices, in the reigns of Hezekiah and Josiah [2 Chron. xxx.; xxxv.]. There is also related [ibid. xxxv. 18], that in the days of the prophet Samuel, Passover was held. The Feast of Tabernacles was celebrated in the days of Solomon [1 Kings viii. 2], and although the children of Israel did not dwell in the booths since the days of Joshua b. Nun [Neh. viii. 17], nevertheless the feast was celebrated with all its appertaining sacrifices; and also the Pentecost they have kept [2 Chron. viii. 13]. The Day of Atonement, however, is not mentioned in the entire Scriptures, with the exception of Lev. xvi., and among the prescription of the various sacrifices; but even then we see something unusual among the commandments of the Scriptures; namely, the remark that he (Aaron) did as the Lord had commanded Moses.*

* Reading the Scriptures critically, we deem that Lev. xvi. is merely a continuation of Lev. x., where the death of the two sons of Aaron is related when they entered the sanctuary; and after that Aaron is instructed as to the manner in which he can enter the sanctuary *so he shall not die*. In the entire chapter xvi. no mention is made of the Day of Atonement, except that from verse 29 to the end of the chapter, we find the command that it shall be a statute forever for all the Israelites, that on the tenth day of the seventh month the high-priest shall make an atonement

Moreover, we can plainly see from the Scriptures, that at the time of King Solomon the Day of Atonement was one of the seven days of rejoicing, at the dedication of the Temple [1 Kings viii.; 2 Chron. vii. 8, 9]; and although it is said in the Talmud that the decision not to keep the Day of Atonement was only a temporary one (as it will be explained in Tract Moed Katan), still we cannot rely upon an individual opinion in the Talmud. The facts are that the Day of Atonement was not observed, not only during the first Temple, but at the beginning of the second as well, for even in Nehemiah the Feast of Tabernacles is mentioned, but the Day of Atonement is not. And even during the middle period of the second Temple the Talmud states that the Day of Atonement was one of the holidays for the people, in which the daughters of Israel, all dressed in white, went forth to dance in the vineyards, as will be explained in Tract Taanith. It would be ridiculous to believe that, while observing the five afflictions of the day (see chapter viii. of this tract), they nevertheless danced and sang, trying to captivate the youths.

Ewald, in speaking of that day, also remarks that it is different in its respect from all the holidays; but even he does not explain the reason. He only indicates that it may be a remnant of the pre-Mosaic time. In order to give the reader an opportunity of forming his own opinion, we herewith give an extract from Ewald concerning the Day of Atonement:

"The preparatory celebration in the autumn, which took place on the tenth day of the seventh month, was essentially distinguished from that of the spring in not being a terror-stricken celebration at the commencement of the year, which sought to avert the perils of the dim future and, as it were, the wrath of a new coming God, but in being rather a pure feast of penance which endeavored to expiate all the human and national transgressions and impurities which had occurred during the year. For although the searching stringency of Jahveism, already described, required that every, even the smallest, impurity and defilement which had been contracted should be immediately expiated, yet the higher religion was well aware how little all the

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for his brother priests, for the sanctuary, and for the people of Israel; but there is no command that he, on that day, shall perform all the ceremonies prescribed in the same chapter, for that concerns only the entrance of Aaron into the sanctuary. Also Ewald has considered this point; and it is possible that the sages, during the first Temple, interpreted this passage in the same manner, and all the sages after them, until the middle period of the second Temple, since when the learned priests, for a reason unknown to us, decided that the entire chapter relates to the Day of Atonement; and the sages of the Talmud, on account of this, afterwards deduced from the scriptural passages the elaborate manner of the service on that day to be found in the Talmud.

secret and slowly advancing desecrations were actually removed from the entire community. Hence this universal festival of penance and expiation was established in order that even all these might be expiated as far as human labor could avail, and that the community, as free as possible from all guilt, might celebrate with joyous feelings the great happy festival of the year which immediately followed. Both this origin and purpose, and also its name, *feast of expiation*, show its genuine Mosaic character. Here, more than in any other, the entire purpose and the absolute stringency of the higher religion found expression, and it was certainly this religion which first founded the festival. Only in one of its rites, which, strictly speaking, is hardly essential, do we find a remnant of pre-Mosaic belief and life. The festival, then, was by no means to be principally of a domestic character, like the Passover; rather, in contradistinction to the latter, was it to become a thoroughly public festival. Accordingly, the people were not to offer any of the regular sacrifices, but a new one, which should go deeper and reach a more sensitive point in taming man's sensuous nature than the regular offerings. This was to be a rigid fast from the evening of the ninth to that of the tenth; the solitary fast which Jahveism annually required. The whole structure of Jahveism did indeed require that a sacrifice of the ordinary kind should be offered on this day, as its peculiar importance demanded; but this continued to be purely sacerdotal. It was a great expiatory offering, to be made by the high-priest or his representative. Not only the human members of the community, including the priests, were now deemed impure and in need of expiation, but even the visible sanctuary as well, as though, like a wall between the nation and its God, it received all the stains of impiety which were incurred in the realm. Hence the high-priest employed expiatory offerings of two kinds: one, purely sacerdotal and serving especially for the atonement of the sanctuary, and another, which had special reference to the share of the community, and must therefore also proceed from it. The latter bore quite a national stamp, and evidently forms that portion of the usages which was derived from a pre-Mosaic time, and still retained subsequently." ("The Antiquities of Israel," by H. Ewald, pages 361 to 364, which see.)

It seems to us that Ewald's opinion is not altogether right. We do not agree that this festival shows more of the Mosaic character than any other festival, nor with his opinion about the he-goat destined for Azazel, which he considers a pre-Mosaic rite. He is also not correct in saying that there were no regular sacrifices on that day, only new ones [*vide* Num. xxix. 7, 8], for the simple reason, if such was the case it would have been observed at the beginning of the second Temple, at least, when the entire Law, as we now have it, was discovered by Ezra; but, as stated above, the observance of that day with pomp and celebration (see Appendix) was begun some time during the middle period of the second Temple.

On the contrary, from the great preparations and parade of

the high-priest to and from the Temple, and from other matters which took place during the service itself, we would be inclined to believe that the Hellenism which crept into Judaism has served a great deal towards their origination; and also concerning the he-goat destined for Azazel we have something to say, but as we do not like to lay before our readers the grounds for our supposition, we refrain from making our statement. We content ourselves with referring the reader to the book "Daath Elohim ba-Arez" ("The Knowledge of God in the Land"), by Abraham Krochmal, where he will find some hints concerning the Azazel of the Scripture and the Tsuk (rock of its destination) of the Mishna, and leave to him to form an opinion of the time of its origin.

Concerning the services proper at the Temple, we have to translate here for our English readers what we have already written in our Hebrew commentary to Tract Shekalim, chapter iv., Mishna D: "From this Mishna we can see that during the time of the Temple the leaders of the priests kept everything secret, and their customs were not known to any one else; otherwise there could not have been a dispute concerning the services there immediately after the destruction of the Temple. Moreover, R. Ishmael, himself a priest, and his forefathers, Elisha and Ishmael, were prominent priests during the time of the Temple; also R. Hanina the Segan was one of the prominent priests, still they knew not exactly the ceremonies and the manner of their performance, and differed in their opinions greatly. This must be borne in mind by the readers of the tracts treating the services and sacrifices."

We have added to this volume the Tract Hagiga, as it relates to the sacrifices of the festivals, and is also of great historical value. Although in the old edition the Tract Hagiga is next to Moed Katan, the last of section Moed, still in our new edition we could not keep up the old rotation, as we have divided the volumes of the above section in approximately uniform size, and each part contains a complete tract. Nevertheless we number the pages of each tract separately, in order that if any one wishes to bind the volumes in the old order, there should be no hindrance.

NEW YORK, *January*, 1899.

SYNOPSIS OF SUBJECTS

OF

VOLUME VI.—TRACT YOMAH.*

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*See introduction to synopsis in Tract Sabbath, Vol. I., p. xxix.; also note at end of synopsis in Vol. V.

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TRACT YOMAH (DAY OF ATONEMENT).

CHAPTER I.

CONCERNING THE HIGH-PRIEST'S PREPARATIONS FOR THE SERVICE OF THE DAY OF ATONEMENT (WHEN THE TEMPLE WAS IN EXISTENCE).

MISHNA: Seven days before the Day of Atonement the high-priest is to be removed from his house to the Palhedrin Chamber (*παρεδρων*), and another high-priest is appointed to substitute him in case he become unfit for the service by becoming unclean. R. Jedudah says another wife is to be appointed for him also, in case his own wife dies, whereas it is said [Lev. xvii. 11], "and shall make atonement for himself and for his house"; "his house"—that is, his wife. But it was objected that in this manner there will be no end to the matter. (The other wife may die too.)

GEMARA: We have learned in a Mishna (Tract Parah, III., 1): "Seven days before the red cow * was to be burned, the priest who had to perform this ceremony was removed from his house to the northeastern chamber of the Temple," etc. "Whence do we deduce this?" said R. Miniumi bar Helviah in the name of Mahassia b. Iddi, quoting R. Johanan: "It is written [Lev. viii. 34]: 'As they have done this day, so hath the Lord commanded to do farther, to make an atonement for you.' 'To do farther' signifies the red cow; 'to make an atonement for you' signifies the Day of Atonement." But perhaps it signifies the atonement of sacrifices generally? Could we know, in this case,

* Some translators say [Numbers xix. 2] "red heifer"; but this would not be proper, according to the teaching of the Mishna that the red cow must not be younger than three years and is fit even from four to five years, for which the term *heifer* cannot be correctly used.

which priest is going to perform the rite? How, then, could he be removed from his home? But perhaps other festivals are meant? We infer the removal seven days before one day from the removal, seven days (before) for the service of one day,* but not seven days (before) for a service of seven days [of the festivals of Passover and of Tabernacles]. Perhaps Pentecost, which also is only one day, is meant? Said R. Abba: "We infer a day of one bull and one ram (when one such is sacrificed) [as on the days of consecration], from a day of one bull and one ram, which is the offering for the Day of Atonement; but for Pentecost two rams are prescribed." Perhaps New Year's Day is meant (which is also only one day)? Said R. Abahu: "We may infer a day of the bull and the ram at the priest's own cost from a day when the priest must act likewise, and that is the Day of Atonement. But on the days of Pentecost and of New Year the bull and ram are at the public cost." R. Ashi, however, said: "We may infer a day on which the bull is a sin-offering, and the ram a burnt-offering (as on the day of consecration and on the Day of Atonement), but on New Year's Day and Pentecost both are burnt-offerings."

Rabbina said: "We may infer from a day on which the service is allowed only to the high-priest a day on which the same is the case, but on the other festivals [than the Day of Atonement] the service is permitted to other priests.

R. Johanan taught: "Both phrases, 'to do farther' and 'to make an atonement,' refer only to one day, and that is the Day of Atonement." Resh Lakish, however, infers from the same two phrases—from "to do," the red cow, and "to make an atonement," the Day of Atonement (as stated previously). But how can R. Johanan infer only one of these, since we have learned that for the red cow the priest was also removed? That was not biblical, but optional. [To contradict the Sadducees, the priest was purposely made unclean, and therefore he was recompensed by honors, one of them that of being removed seven days before.]

When Rabbin came from Palestine, however, he said in the name of R. Johanan, quoting R. Ishmael: "By 'do farther' the red cow is meant, and by 'to make atonement' the Day of Atonement." Said Resh Lakish to him: "Whence do you deduce this? From the days of consecration! As on those

* See Lev. viii. 33.

days everything mentioned is obligatory, so on these occasions it should be. Perhaps you will say, it is so. But have we not learned that a substitute is prepared? and it is not written that the substitute must also be removed. If you will say, the substitute was likewise removed, then why does the Mishna say, the high-priest was removed, and a substitute was prepared? Let one expression be used concerning both."

Rejoined R. Johanan: "Whence do you, Master, deduce this?" He answered: "I deduce it from what occurred on Mount Sinai. As it is written [Ex. xxiv. 16]: 'And the glory of the Lord abode upon Mount Sinai, and the cloud covered it six days, and he called unto Moses on the seventh day.' Let us see. He called him on the seventh day; to what purpose were the six days? To make a rule for every man who must enter the abode of the Shekhina, that he must be separated six days." But did we not learn "seven days"? Six days are sufficient; but our Mishna is in accordance with R. Jehudah b. Bathyra, who says that seven days are requisite (as will be further explained).

Rejoined R. Johanan again to Resh Lakish: "It is, according to me, who deduce it from the days of consecration, that the following Boraitha should say, that on the priests on both occasions they sprinkled during all the seven days of preparation, from all the ashes of the red cows which were to be found there, because on the days of consecration there was also sprinkling. But according to you, who deduce it from Mount Sinai, where do you find sprinkling on Mount Sinai?" Resh Lakish answered: "Even according to your theory, are they equal? In the days of consecration the sprinkling was of blood, and here water." Rejoined R. Johanan: "It presents no difficulty; because R. Hiya taught the water was later substituted for the blood. But according to your theory, on Mount Sinai there was no sprinkling at all?" Resh Lakish answered: "The sprinkling was an optional improvement."

We have learned of one Boraitha which is in accordance with R. Johanan, and of another which is according to Resh Lakish. The one according to R. Johanan is as follows: It is written [Lev. xvi. 3]: "With this shall Aaron come into the holy place." The phrase "with this" means all that is said concerning the days of consecration. Namely, Aaron was separated seven days, and served but one; during the seven days Moses instructed him, to make him acquainted with the service. So it

should be in later generations; the high-priest should be separated for seven days, and serve one day, and two scholars of the disciples of Moses, excepting Sadducees, were placed in his society during the seven days to make him be practised in the service. Therefore it has been said, seven days before the Day of Atonement the high-priest must be removed from his house to the chamber of Palhedrin. And as the high-priest was separated, so the priest who was to burn the red cow was to be removed to the chamber in the northeast of the Temple. Both priests used to be sprinkled during all the seven days from the ashes of the red cow. And if you will say, on this occasion water of the ashes was sprinkled, and on the days of consecration it was blood that was sprinkled, it can be replied, that that water was a substitute for the blood, as it is written: "As they have done this day, so the Lord commanded to do farther, to make atonement for you" [Lev. viii. 34]. "To do farther" means the red cow; "to make atonement," the Day of Atonement.

The Boraitha according to Resh Lakish is as follows: Moses ascended in the cloud, was covered by the cloud, and was sanctified in the cloud, in order that he should have been able to receive the Torah for Israel in a state of sanctitude, as it is written [Ex. xxiv. 16]: "And the glory of the Lord abode upon the Mount Sinai." This occurred after the day in which the ten commandments were given, which was the first of the next forty days. So said R. Jose the Galilean. R. Aqiba, however, said: "'The Lord's glory abode,' that was the first day of the month (Sivan); 'the cloud covered it,' the mountain, not Moses (for during the six days the latter went from God to Israel and from Israel to God); 'and he called,' he called Moses himself. Although Moses and all Israel stood, yet to do honor to Moses, he called him alone." R. Nathan said: "To what purpose was Moses covered by the cloud six days? That the victuals in his bowels should be digested, so that he should be pure as the angels." R. Matthiah b. Heresh, however, said: "The entire separation was for the purpose of overawing him, that the Torah should be received with awe, shivering, and trembling, as it is written [Ps. ii. 11]: 'Serve the Lord with fear, and rejoice with trembling.'" What is meant by "rejoice with trembling"? Said R. Adda bar Matna in the name of Rabh: "Where there is joy, there should be awe."

On what point do R. Jose the Galilean and R. Aqiba differ?

They differ like the Tanaim of the following Boraitha: "On the sixth day of Sivan the Torah has been given to Israel; R. Jose, however, says, on the seventh." According to him who says that the Torah was given on the sixth day, Moses ascended on the seventh; according to him who says, on the seventh, he received the Torah and ascended on the seventh day, as it is written [Ex. xxix. 16]: "And he called unto Moses on the seventh day." R. Jose the Galilean holds with the first Tana, who maintains that the Torah was given on the sixth of the month; and therefore, he says, "the glory of the Lord abode" after the day on which the commandments had been given. The cloud covered Moses six days, and on the seventh he called him to receive the rest of the Law. But R. Aqiba holds, according to R. Jose, that the commandments were given on the seventh day, and that Moses ascended on the same day.

"And the Lord called unto Moses, and spoke unto him" [Lev. i. 1]. Why was it need to call first, and then to speak? The Torah teaches good manners, that a man should not communicate to another anything before he tells him that he wishes to speak to him. And this is in support of R. Hanina, who has said the same.

Said R. Menasseh the Great: How is it known, when one person communicates something to another, that one has no right to tell it to a third without permission? It is written [ibid.], "spoke unto him out of the tabernacle of the congregation, saying" (in Hebrew "Lemor," which is considered here as equivalent to "Lo Emor," not to speak). From the above saying of Resh Lakish to R. Johanan, that if you infer all this from the days of consecration, etc., we must assume that both agree that whatever is written concerning the days of consecration is obligatory. Now from what has been taught, that about the days of consecration R. Johanan and R. Hanina differed, one says, all that is written is obligatory, and the other, that only which is obligatory for later generations, but what is not obligatory for later generations was not obligatory even then. Infer that R. Johanan is the one who says that all that is written there is obligatory. For were the case otherwise, R. Johanan would have replied to Resh Lakish that it is not so.

In what consists the difference? Said R. Papa, in the separation for the seven days. According to him who says that all that is written there is obligatory, the removal of the high-priest for the seven days is obligatory (and if it was not done, his ser-

vice is invalid); according to the other opinion, this is not obligatory. But how is it known that in the second case this is not obligatory? Because it is written in the Mishna: "A substitute is prepared," and not "removed." What is the reason of him who says that all which is written is obligatory? Said R. Itz'hak bar Bisna: It is written [Ex. xxix. 35]: "And thou shalt do unto Aaron and to his sons, *thus*." *Thus* signifies that it is obligatory. This would be right in regard to all the things written in the chapter about the days of consecration; but whence is it known that other things not written in this chapter are also obligatory (*e.g.*, the breastplate and Ephod, not mentioned in that chapter, yet known to be obligatory)? Said R. Na'hman b. Itz'hak: We infer it from an analogy of expression; in that chapter the "door of the tabernacle of the congregation" is mentioned [Lev. viii. 4], and in the chapter about the breastplate, etc. [Ex. xxix. 4] the same expression recurs. (As in the case of practice it is obligatory, so in the case of the commandment.) R. Mesharshia says: It is inferred from "keep the charge of the Lord" [Lev. viii. 35] (an analogy of expression is not necessary, it is plainly said "keep," hence it is obligatory). R. Ashi says, from "for so I have been commanded" [ibid.]; hence it is obligatory.

How did Moses attire Aaron and his sons on the days of consecration? [That is, to understand the verses of the Bible; we wish to know it, although it does not concern us.] The sons of R. Hiya and R. Johanan differ. One party says he attired Aaron first, and the sons next; and the other, Aaron and his sons at the same time. Said Abayi: About the coats and the mitres they do not differ—namely, that Aaron was attired in them first, and the sons later; for both in speaking of the commandments and the practice Aaron is mentioned first [Ex. xxix. 56; Lev. viii. 7]. What they differ about is the girdle. The party who says, "Aaron, and his sons later," does so because it is written, "and girded *him* with the girdle" [Lev. viii. 7], and later, "girded *them* with girdles" [ibid. 13]. The party who says they were attired at the same time, do so because it is written, "Thou shalt gird them with girdles, Aaron and his children" [Ex. xxix. 9]. But how can it be said that he attired them at the same time (it is written plainly that first he attired Aaron, and then his sons)? There is a difference between a girdle of the high-priest and that of an ordinary priest. That means, when it is written he girdled Aaron first, it is meant,

with the girdle of the high-priest; but with the ordinary girdles he attired them all at once.

"*The high-priest is removed,*" etc. For what purpose was he removed? "For what purpose?" Has it not been said above, R. Johanan gave one reason, Resh Lakish another? We mean to ask, why had he to be removed from his home (he could practise at home)? Because it was learned in a Boraitha that R. Jehudah b. Bathyra said, it is apprehended lest he have intercourse with his wife, when there is doubt that she is in her sickness (then he would become unclean for the next seven days, and be unable to serve in the temple).

It was taught: The uncleanness contracted from a dead body is not considered in the case of an entire congregation, according to R. Na'hman. R. Shesheth, however, says, it is only postponed in that case. If there are individuals in the family of priests thus defiled, there is no difference of opinion that those individuals may *not* serve; but if the whole family was thus defiled, there is a difference of opinion between R. Na'hman and R. Shesheth. According to R. Na'hman, clean individuals of another family need not be sought because, where there is a congregation, the defilement is not considered at all. And according to R. Shesheth, who says it is only postponed, individuals of another family may be looked for. According to others, R. Na'hman says: Even the unclean individual also served, as in case of a congregation defilement is not taken into consideration. Said R. Shesheth: The authority for my decree is the following Boraitha: "If one stand sacrificing the Omer, and it become unclean in his hand, he shall so notify, and the congregation shall bring another in its stead. But if there is no other, he is told to have sense and to keep silent." Now we see that in the beginning it is said, another one should be brought in its stead; hence it is not permitted, but only postponed. Said R. Na'hman: I grant that, in a case in which the remains of the sacrifice must be eaten, when undefiled can be obtained, it is better.

On this point the Tanaim of the following Boraitha differed: "The golden plate [Ex. xxviii. 36] which is made for the high-priest, whether it is on his brow or not, it atones for all defilements of the offerings." So said R. Simeon; but R. Jehudah said, when it is on his brow it atones, but not otherwise. Said R. Simeon to him: The high-priest who serves on the Day of Atonement has not the plate on his brow, and nevertheless atones for all sins; hence we see that it atones even when not

on his brow. Answered R. Jehudah: Leave the high-priest on the Day of Atonement alone, for defilement is allowed to him when the whole congregation is defiled. Now, from R. Jehudah's answer that the defilement is allowed, we must conclude that R. Simeon holds that the defilement is only postponed, but not allowed.

Said Abayi: When the plate had been broken, all agree that it does not atone. They differ only when it is suspended on a peg. R. Jehudah says, because it is written [Ex. xxviii. 38], "it shall be upon Aaron's forehead, and Aaron shall atone," etc., (therefore) it only atones when it is on the brow. But R. Simeon's opinion is: Because it is said, "always they may be received in favor before the Lord" [ibid., ibid.]; and it cannot be said that it is meant that it should *always* be on his forehead, because he must satisfy human needs and sleep; hence we must say, it means that it always receives the Lord's favor. But what will R. Jehudah say to this "always"? He explains that it is meant, it should never be absent from his mind.

Shall we assume that the former Tanaim differ as the Tanaim of the following Boraitha: Both the high-priest and the priest that was to burn the red cow were sprinkled upon during the seven days with all the ashes that were there. So said R. Meir. R. Jose, however, said: He was sprinkled only on the third and on the seventh day. R. Hanina the Segan of the priests said: "The priest that was to burn the red cow used to be sprinkled on during all the seven days, but the high-priest was sprinkled only the third and seventh." Now, shall we assume that the point of difference is, because R. Meir says the defilement is only postponed in case of the congregation, and therefore he has to be sprinkled upon during the seven days, and R. Jose holds the defilement is not considered at all? (How can you say this? If R. Jose holds that the defilement is not considered, why the sprinkling at all on the third and the seventh?) Therefore we must say that all the Tanaim of this Boraitha hold that the defilement is only postponed, and not allowed, and the point on which they are at variance is this: R. Meir holds we compare the sprinkling to the bathing; as the bathing at the proper times is a religious duty, so also is the sprinkling. And R. Jose holds, we do not compare (the sprinkling to the bathing). Now, then, what is the opinion of R. Hanina the Segan? If we compare it to bathing, the high-priest has to be sprinkled also every day; and if not, why is the other priest of the red cow sprinkled every

day? He does not compare; only in case of the priest of the red cow it is an optional improvement. R. Jose b. R. Hanina opposes this: Why is he sprinkled on the fourth day? (The law is that one unclean must be sprinkled on the third day and on the seventh [Num. xix. 12]. The first three days it was apprehended lest each be the third or seventh (after his unintentional defilement), but the fourth after the removal from his house can neither be the third nor the seventh. Even without this, could he be sprinkled all the seven days? One of them must have been on Sabbath, and sprinkling does not supersede Sabbath? Therefore we must say that what is said of the seven days, is meant with the exception of Sabbath. The same is the case with the fourth; it is meant, all the seven days, except the fourth. Said Rabba: Therefore the high-priest must be removed seven days before the *Day of Atonement*, whose date is not dependent on us; but on the third day of the month,* he must be removed seven days before that day, no matter when the fourth day falls. But the priest of the red cow, the date of whose removal depends on us, should be removed on such a day that the fourth shall fall on Sabbath.

"*To the Palhedrin Chamber.*" We have learned in a Boraitha: R. Jehudah said: Was it called the Palhedrin Chamber, it was called the Chamber of the Lords? He answers: Formerly it was called the Chamber of the Lords, but after the high-priests began to be appointed for money, and changed as government officers (Palhedrin, changed once in twelve months), it began to be called the Hall of the Palhedrin. What is meant by Palhedrin? Officers.

Rabba bar bar Hana in the name of R. Johanan said: It is written [in Proverbs x. 27]: "The fear of the Lord increases man's days, but the years of the wicked will be shortened." "The fear of the Lord increases the days"; that refers to the first Temple, during whose existence of four hundred and ten years there were only eighteen high-priests. "The years of the wicked will be shortened," refers to the second Temple, which existed four hundred and twenty years, and more than three hundred high-priests succeeded each other during that period. Subtract the forty years during which Simeon the Righteous ministered, eighty years of Johanan the high-priest's ministry, and ten years of Ishmael b. Favi—according to others, eleven

* The Day of Atonement always occurs on the tenth day of the month Tishri.

years of R. Eleazer b. Harsum—and compute, you will see that not even one high-priest completed his year.

R. Johanan b. Turtha said: Why had Shiloh fallen? Two sins were committed there: adultery and sacrilege. Adultery, as it is written [1 Sam. ii. 22]: "Now Eli was very old, and heard all that his sons were in the habit of doing unto all Israel; and how they would lie with the women that assembled at the door of the tabernacle of the congregation." And sacrilege, as it is written [ibid. 17]: "And the sin of the young men was very great before the Lord; for the men despised the offering of the Lord."

Why has the first Temple fallen? Because there were three things: idolatry, adultery, and bloodshed. Idolatry, as it is written [Jerem. xxviii. 20]: "For the bed shall be too short for a man to stretch himself out on it; and the covering too narrow to wrap himself in." And R. Johanan said: The bed is too narrow that there should be two, God and the idols. [Said R. Samuel b. Nahmoni: When R. Jonathan used to come to this verse, he used to cry, saying: That the Lord, of whom it is said [Ps. xxxiii. 7], "He gathereth together like heaps the waters of the sea," should feel too little space because of an idol.] Adultery, as it is written [Is. iii. 16]: "Forasmuch as the daughters of Zion are fraud, and walk with stretched forth necks and casting about their eyes, walking and mincing as they go, and making a tinkling with their feet." R. Itz'hak said to this: What is meant by tinkling? They used to fill the shoes with spices, and when a young man was by, they pressed the spices with the feet, to attract his attention.

Bloodshed, as it is written [2 Kings xxi. 16]: "And also innocent blood did Manasseh shed in very great abundance."

But the second Temple, where the occupations were study of the Law, religious duties, and charity—why fell it? Because there was groundless enmity.* From this we can infer that unfounded hatred is equal to all the three sins together: idolatry, adultery, and bloodshed. In the time of the first Temple, although they were wicked, yet because they put their trust in the Holy One, blessed be He, as it is written [Micah iii. 11]: "Her heads judge for bribes, her priests teach for reward, and her prophets divine for money: and yet they will lean upon the

* In the Palestinian Talmud it is said: Because they loved money, and hated each other without grounds.

Lord, and say, Is not the Lord among us? evil cannot come over us." For this, the Holy One, blessed be He, brought on them three chastisements, for their three sins; as it is written [ibid. 14]: "Therefore for your sake shall Zion be ploughed up as a field, and Jerusalem shall become ruinous heaps, and the mount of the house, forest-covered high places."

R. Johanan and R. Elazar both said: In the time of the first Temple, as their sin was laid bare, therefore the date of the end of their suffering has likewise been revealed; but in the time of the second Temple, when their sin was not stated clearly in writing, therefore the date of the end (of their suffering) was not revealed either.

R. Johanan said again: The nail of those of the time of the first Temple was preferable to the belly (whole body) of those of the time of the second Temple. Said Resh Lakish to him: On the contrary, the last were better. Although they were subject to a foreign government, nevertheless they studied and observed the Law. Rejoined R. Johanan: The fact of the Temple can prove it. The first obtained the Temple once more, and the last have it not yet. R. Elazar was asked: Who were greater, the first or the second? He replied: Take the Temple as a sign.

Resh Lakish was bathing in the Jordan: Rabba bar bar Hana came to him, and shook hands with him. Resh Lakish said to him: God detests you Babylonians, as it is written [Solomon's Song viii. 9]: "If she be a wall, we will build upon her a palace of silver; and if she be a door, we will enclose her with the boards of cedar." That signifies thus: If you were all strong as a wall, and went all with Ezra, you would have been like silver, which can never rot; but as you did not, you were like wooden doors, which are subject to decay.

It is possible that Resh Lakish spoke with Rabba bar bar Hana? If with R. Elazar, who was the principal man in Palestine, Resh Lakish did not speak; because it was a rule that, with whomsoever Resh Lakish spoke in the street, money could be given to him without witnesses. Should Resh Lakish then have spoken with Rabba bar bar Hana (who was an inferior man)? Says R. Papa: Substitute another person. Either it was Resh Lakish and Z'eri, or R. Elazar and Rabba bar bar Hana. When the last came to R. Johanan and related to him what Resh Lakish had told him, he said: This is not the reason. If all had come with Ezra, even then the Shekhina would not have dwelt in the second Temple, since it is written [Gen. ix. 27]: "May

God enlarge the boundaries of Japheth, and may he dwell in the tents of Shem"; that signifies, that although God enlarges the boundaries of Japheth, his Shekhina can only dwell in the tents of Shem (*i.e.*, because the second Temple was under the rule of the Persians, who are of Japheth, the Shekhina could not dwell there, but only in Solomon's Temple, which was Shem's). And how is it known that the Persians are descendants of Japheth? Because it is written [Gen. x. 2]: "The sons of Japheth: Gomer, and Magog, and Madai, and Jabon, and Tubal, and Meshech, and Thirass"; and R. Joseph has taught, that Thirass is Persia.

R. Joshua b. Levi said in the name of Rabbi: A time will come, when those who have destroyed the second Temple will fall into the hands of the Persians. As it is written [Jerem. xlix. 20]: "Therefore hear the counsel of the Lord, that he hath resolved against Edom; and his purposes, that he hath devised against the inhabitants of Theman. Surely the least of the flocks shall drag them away: surely he will devastate their habitation." Rabba b. Ula opposed: How is it known that by the least of the flocks Persia is meant? Because it is written [Dan. viii. 20]: "The ram that thou hast seen, him with the two horns, signifies the kings of Media and Persia?" Perhaps Javan (the Greeks) are meant? As it is written [ibid. 21]: "And the shaggy he-goat is the king of Javan (Greece)." When R. Habiba b. Surmika went up to Palestine, he told to a scholar the objection of Rabba b. Ula. He said to him: A man who cannot explain the verses of the Bible should dare oppose Rabbi? What is meant by "the least of the flock"? the youngest of the brothers (that is, Thirass), and R. Joseph has said, Thirass is Persia.

Rabba bar bar Hana in the name of R. Johanan, quoting R. Jehudah b. Ilai, said: Those who have destroyed the second Temple will fall into the power of Persia. And this is an *a fortiori* reasoning: If the children of Shem, who built the first Temple, and the Chaldeans, who destroyed it, fell into the hands of the Persians, how much more the destroyers of the second Temple, which the Persians themselves have built, must fall into the power of the Persians. Rabh, however, said: On the contrary, it will come that Persia will succumb under those who have destroyed the Temple. Said R. Kahana and R. Assi to Rabh: Is it right that those who had built the Temple should fall under the dominion of those who have destroyed it? He answered: Yea, such is the decree of the King. R. Jehudah also said in the name of Rabh: The Messiah, descended from

David, will not arrive until Rome shall have dominated over the entire world nine months. As it is written [Micah v. 2]: "Therefore he will give them up until the time that she who travaileth hath brought forth"; and the end of the verse is, "then shall the remnant of his brethren return with the children of Israel."

The rabbis taught: All the chambers of the Temple had no Mezuzahs,* except the Chamber of Palhedrin, which was a dwelling of the high-priest. Said R. Jehudah: Were there not many chambers in the Temple which were dwellings, and nevertheless were without Mezuzahs? Therefore we must say that the Mezuzah in the Palhedrin Chamber was only as a precautionary measure (lest it be said of the high-priest that he was in prison, which requires no Mezuzah). What is the reason of R. Jehudah's opinion that no Mezuzahs need be in the chambers of the Temple, even those which are dwellings? Said Rabba: R. Jehudah holds that a house not made both for summer and winter is not considered a house requiring a Mezuzah. Abayi objected: Is it not written [Amos iii. 15]: "And I will smite the winter house together with the summer house" (hence each is called a house)? He answered: It is called "winter house" or "summer house," but not *house* alone. Abayi objected again: We have learned in Maasroth, III., 7: "In regard to the booths made for the Feast of Tabernacles, during that feast things are made obligatory by R. Jehudah, but not by the sages." And concerning this Mishna we have learned in a Boraitha: R. Jehudah makes obligatory in regard to them Erub, Mezuzah, and Tithes (hence we see even a booth is considered a house). But perhaps it will be said, this is only rabbinical, but not biblical? This would be right of Erub and Mezuzah, but about Tithes it cannot be said that R. Jehudah makes them obligatory only on rabbinical grounds, lest he will thus tithe grain which is to be tithed rabbinically for that which is to be tithed biblically, and this is forbidden.

Therefore said Rabha: During the whole year nobody differs from the opinion that the booth is exempt from these duties; they only disagree about the seven days of the feast. And the reason for the Sukka is one, and that for the chamber of the Temple is another. The reason for the Sukka is, because R. Jehudah is consistent with his theory that a Sukka must be a permanent dwelling; and a permanent dwelling requires a Mezu-

* See Deut. vi. 9.

zah. The rabbis are in accordance with their theory that a Sukka need be only a temporary dwelling, which requires no Mezuzah. And the reason for the chambers of the Temple is: The sages hold, a dwelling in which a person abides by compulsion is considered a dwelling-house; and R. Jehudah's opinion is, it is not considered so. Therefore biblically it is exempt from a Mezuzah; but the rabbis have ordered a Mezuzah to be made, lest it be said the high-priest is imprisoned.

Who is the Tana of the following Boraitha which the rabbis taught: "All gates which were in the Temple had no Mezuzahs, except the gate of Nicanor, next to (before) which was the Palhedrin Chamber." Shall we assume that this is only according to the rabbis, and not according to R. Jehudah? For, if it were according to R. Jehudah, who thinks the Mezuzah in the chamber itself was only a precautionary measure, how could a Mezuzah be made on the gate; that would be a precautionary measure against a precautionary measure? Nay, that is all *one* precautionary measure.

The rabbis taught: What is written [Deut. vi. 9] "upon thy gates" applies to the gates of houses, courtyards, cities, and countries; all these are under the obligation of this religious duty towards God, as it is written: "And thou shalt write upon the doorposts of thy house, and upon thy gates." Said Abayi to R. Saphra: Why was no Mezuzah made on the city gate of Mechuzah (the majority of whose population were Jews)? Abayi replied: It was not made, because it would have been dangerous. (The government in its ignorance would say it was a charm.*)

As we have learned in the following Boraitha: A Mezuzah of an individual must be examined twice in a Sabbatical period (seven years, whether it is valid); and one of a congregation, twice in a jubilee (fifty years). And R. Jehudah said: It once happened a repairer examined a Mezuzah in the upper market of Ziporeth, and a quæstor surprised him doing this, and fined him a thousand Zuz. But did not R. Elazar say, that harm cannot befall a delegate for religious duties? In cases where harm is usually to be expected, it is different. As it is written [1 Sam. xvi. 2]: "And Samuel said: How shall I go? If Saul should hear it, he would kill me"; and the Lord said: "Take a heifer with thee; and say, To sacrifice unto the Lord am I come." (It

* In our *Philacterien-Ritus* we have explained this differently. The danger was that it should be recognized as a purely Jewish city and exposed to the Jews' enemies.

is therefore evident that in cases of certain danger, even a delegate for a religious duty has to fear.) R. Kahna taught before R. Jehudah: A house where straw, cattle, wood, or grain is kept, is exempt from a Mezuzah, because women wash themselves there. Said R. Jehudah to him: Is that the reason why these houses are exempt? And otherwise, it were not so? Have we not learned in a Boraitha, a stable is exempt from a Mezuzah in any event? What is meant is, that in spite of the fact that women make their toilet there, and they may be considered as dwellings, yet they are exempt from Mezuzahs. Rejoined R. Kahna: Is that so? We have learned in another Boraitha, a stable is exempt from a Mezuzah; but if the women make their toilet there, then a Mezuzah is obligatory? What canst thou answer, except that it is one of several different opinions of the Tanaim? So I can say, that what I have said about the reason of the women's washing themselves, is also one opinion of the Tanaim. R. Jehudah, however, holds that when it is not known that the women make their toilet there, all agree they are exempt.

R. Samuel b. R. Itz'hak taught in the presence of Rabba: Six kinds of gates are exempt from a Mezuzah: those of places where straw is kept, or cattle, wood, grain, or a Median (vaulted) gate, or a roofless gate, or one less than ten spans high. Thou hast said six, and hast enumerated seven? He answered: About the Median gate the opinions of the Tanaim are different.

The rabbis taught: "A prayer-house, a house belonging to a woman, and one belonging to two partners, must have a Mezuzah." Is not this self-evident? One might think, because it is written "in thy house," but not "in her house" or "in their house," such are exempt, he comes to teach us that it is not so. But whence do we deduce that it is not so? It is written [Deut. xi. 21]: "In order that your days may be multiplied, and the days of your children" (a Mezuzah is then useful to longevity; does not a woman wish to live long?). Why, then, is it written "thy house" (Bethcha)? It is according to Rabha, who said, it is equivalent to *Biathcha* (thy entering); as one enters the house with the right foot usually foremost, therefore the Mezuzah should be on the right side of the entrance.

"*Another high-priest is appointed*," etc. It is certain that when the high-priest became unfit by some accident before the daily morning offering (on the Day of Atonement itself), the substitute was exercised in the service of the daily morning offering

(and made to be recognizable as the high-priest). But if the accident happened after the daily morning offering, how was it? (All the services were done in the four articles of dress of an ordinary priest, not in the garments of a high-priest). Said R. Ada bar Ahba: He was exercised in the girdle. (So that he was recognized to be the high-priest.) It is right, according to the Tana who says that the girdle of the high-priest did not differ from that of an ordinary priest; and on the Day of Atonement, as the high-priest's girdle was of byssus, he was identified as the high-priest, but according to him who says that the high-priest's girdle was different (and to girdle him with the high-priest's girdle, except during service, is forbidden), how then was he identified? Said Abayi: He attired himself in the eight articles of dress, and went with the basin, and turned over the sacrifice on the altar that it burn better. (This is considered a service, and he was thus exercised and recognized.) And that is according to R. Huna, who said: A layman who turns over the sacrifice is liable to capital punishment, because it is a service. R. Papa, however, said: His service is his exercise (no preparatory ones are necessary). Because, did not a Boraitha state that all the vessels Moses had made, were consecrated by their anointment? Who consecrated the vessels made later than the time of Moses? Their use for service consecrates them. So also here, his service is his exercise.

When Rabbin came from Palestine, he said: The girdle of the high-priest on the Day of Atonement was of byssus, according to all; during the whole year all agree it was of Kilaim (mixed of wool and linen). What they differ about is, whether a girdle of a common priest, during the whole year and on the Day of Atonement, was of Kilaim, as Rabbi says, or of byssus, as R. Eliezer b. R. Simeon says. Said R. Na'hman b. Itz'hak: We have also learned so in a Boraitha: It is written [Lev. vi. 3], "upon his flesh." Why is "put upon" necessary? This is to add, that when he removes the ashes he must have on the mitre and girdle also. Such is the decree of R. Jehudah. R. Dosa said: This is to add that the four garments of a high-priest on the Day of Atonement may be worn by a common priest. Said Rabbi: There are two objections to this. The first objection is, the girdle of a high-priest on the Day of Atonement is not the same as that of a common priest; and, secondly, how can it be said that the garments employed for a more important (?) holiness, may be used later for any less important. What else is

the phrase "put upon" to add? That he may use his old garments (and needs not new ones). R. Dosa, who prohibits old garments, except to common priests, decrees according to his theory in the following Boraitha: It is written [Lev. xvi. 23], "And he shall leave them there"; that signifies they must be hidden. R. Dosa, however, said: He may not use them himself the next year (on the Day of Atonement, but a common priest can use them).

The rabbis taught: When the high-priest happened to become unfit for service, and his substitute performed it, then after the Day of Atonement the high-priest resumes his service, and all the laws regarding the high-priesthood apply to the substitute (he can no longer be like a common priest). Such is the decree of R. Meir. R. Jose, however, says: The high-priest resumes his service, the substitute does not become like a high-priest, nor continues to be as a common priest. And R. Jose added: It happened to Joseph b. Alem of Ziporeth, that he was a substitute for the high-priest, who performed the service instead of the high-priest, to whom an accident had happened. Later the sages said, the high-priest should resume his service, and that Joseph b. Alem is fit no longer to be either a high-priest or a common priest. A high-priest, to prevent enmity; and a common priest, because there is a rule, in holiness one may increase but not decrease. Said Rabba bar bar Hana in the name of R. Johanan: The Halakha prevails according to R. Jose. R. Jose grants, that if the substitute *has* performed service in the Temple, this service is valid.

R. Jehudah said in the name of Rabh also: The Halakha prevails according to R. Jose, and R. Jose grants that when it happens the high-priest dies, he may become high-priest. This is self-evident? One might say, since he was his rival in life, he might not become a high-priest after his death. He comes to teach us it is not so.

"*R. Jehudah says, another wife,*" etc. The sages apprehend lest an accident happen to the high-priest himself, and prepare a substitute. Why not prepare another wife also? The rabbis can answer: An accident of defilement can happen, but death (which is rare) is not apprehended.

"*There will be no end,*" etc. The sages have given a good answer to R. Jehudah? R. Jehudah can reply: That one may die, is apprehended; that both should die, is not.

The rabbis taught: The high-priest may sacrifice when he is

an Onen (one of his relatives had died, and not been interred yet), but he may not eat (of the sacrifices). R. Jehudah says, the whole day. What is meant? Said Rabh: If he is in his home, he must be brought to the Temple to perform the service. Said Abayi to him: How canst thou say this? We know that, according to R. Jehudah, he is told to stop, even when he is performing the service, as we have learned in the following Boraitha: "When he stands sacrificing on the altar," and it is reported to him that one of his relatives is dead, he must interrupt the service, and go. So is the decree of R. Jehudah. R. Jose says: He must conclude the service, and then go. And thou sayest he is brought from his home. Therefore says Rahha: What is meant by "the whole day"? The whole day he is not obliged to perform the service, when he is an Onen, lest he eat of the sacrifices (but in the evening he may). Said R. Adda b. Ahba to Rabha: Does R. Jehudah take such a precautionary measure against his eating? Did we not learn in our Mishna, R. Jehudah said, another wife was prepared for him, lest his own wife die? If his wife die, he is expected to perform the service, and R. Jehudah does not take the precautionary measure lest he partake of the sacrifice? Rabha answered: What comparison is this? This is the Day of Atonement, when nobody eats; it is not feared that he shall eat. But on a common day it is apprehended.

MISHNA: During all the seven days he sprinkles the blood [of the daily offerings, to become practised], fumes the incense, trims the lamps, and offers the head and the leg. During all the other days, he sacrifices, if he chooses, since the high-priest offers the first portion as he prefers, and takes for his own use a portion of the first offering.

GEMARA: Who is the Tana who holds so? Said R. Hisda: That is not in accordance with R. Aqiba. For R. Aqiba holds that when a clean man is sprinkled upon, he thereby becomes defiled. And since the high-priest was sprinkled upon all the seven days, how could he perform the service? As we have learned in the following Boraitha: It is written [Num. xix. 19]: "And the clean person shall sprinkle upon the unclean." Infer from this (since *unclean* is written, not *him*), that only an unclean person becomes clean; but if a clean person is sprinkled on, he becomes unclean. So is the decree of R. Aqiba. But the sages said: This only applies to things subject to defilement. Abayi, however, said: It may be said, the

Mishna can be even in accordance with R. Aqiba; and the case is, the whole day he can perform the service, in the evening he bathes, and when the sun has set, he becomes clean.

"*Fumes the incense, and trims the lamps.*" From this we see that the rite of the incense is performed first, and after that, of the lamps. There is a contradiction? We have learned in Tamid, III., 6: "Who has got the privilege to clear the inner altar of the ashes, to trim the lamps and offer the incense" (hence we see, the lamps precede the incense). Said R. Johanan: The Tana who has taught the order of the rites on the Day of Atonement is R. Simeon, the man of Mitzpah, who differed from the sages of the Mishna in Tract Tamid.

And there is a contradiction even in this tract in the order of the rites, as we learn in a Mishna farther on. The second lot is to determine who should slaughter, who should sprinkle, who should clear the inner altar, who shall trim the lamps, and who shall carry up the members on the staircase. The third lot is drawn by nine priests, to determine who should offer the incense. (Hence the lamps here precede the incense also.) Said Abayi: It presents no difficulty. In the one case the two lamps are meant, in the other case the five lamps. (Shall we assume that between the trimming of the two lamps and the five lamps incense was offered?) Did not Abayi, who ordered the rites according to a tradition, say that between the trimming of the two and five lamps the blood of the daily sacrifice was sprinkled? We can say, it presents no difficulty. This is according to R. Abbu Saul, and according to the sages of the following Boraitha: One shall not trim the lamps, and then offer the incense; but he must first offer the incense, and then trim the lamps. Abbu Saul, however, said: He must first trim the lamps, and then offer the incense. What is the reason of Abbu Saul's decree? It is written [Ex. xxx. 7]: "Every morning, when he dresseth the lamps," (and later) "shall he burn it." What will the sages say to this? The sages say, at the same time both should be done, not that the lamps should be before the incense. For if you should not say so, how will the next verse be explained: "And when Aaron lighteth the lamps toward evening, shall he burn it" [ibid. 8]? He should first light, and then offer the incense later? And if you would say that so it is, did we not learn in a Boraitha, it is written, "from the evening to the morning" [Ex. xxvii. 21]? There is no service which is valid from the evening till the morning except this. (Hence we see

the lamps were the last.) (We must therefore say that) the Torah means, that at the same time the lamps are lighted, the incense is to be offered. So also is it with the cleaning of the lamps; when they are cleaned, the morning incense is offered. R. Papa said: The self-contradiction of this tract presents no difficulty, because one decree is according to the rabbis, and one according to Abbu Saul. What did R. Papa mean to say: He wants to ascribe our Mishna to the rabbis, and that speaking of the lots to Abbu Saul. Let us see how the end of that Mishna in Chap. III., namely, "went in to fume the morning incense, and to trim the lamps," will correspond. This is certainly according to the rabbis. Then the first part and the conclusion of the Mishna will be according to the rabbis, and the middle part according to Abbu Saul? R. Papa can say, that this is the case.

In the Mishna in Tamid we have learned: When he comes to the northeastern corners of the altar, he places the blood there, and when he comes to the southwestern corners, he places the blood there. And in addition to this, we have learned in a Boraitha: "That R. Simeon, the man of Mitzpah, makes a difference in the daily offering; namely, when he comes to the northeastern corners, he places the blood on both corners at once, but at the southwestern he first places it on the western corner, then on the southern." What is the reason of R. Simeon? Said R. Johanan in the name of one disciple of the school of R. Janai: Because it is written [Num. xxviii. 15]: "One he-goat for a sin-offering unto the Lord, besides the continual burnt-offering, shall it be prepared with its drink-offering." What is the sin-offering mentioned for, in connection with the burnt-offering? To teach us that though it is a burnt-offering, in one respect it must be sacrificed as a sin-offering; namely, at two of the four corners he places the blood on both corners at once as a burnt-offering, and at the southwestern he puts the blood on the western first, and on the southern thereafter.

We have learned in another Mishna (Tamid, III., 3): "The superintendent said to them, Go and bring a lamb from the chamber of the lambs." The chamber of the lambs was in the northwestern corner (of the house of heating. Such an apartment existed in the temple, to render the marble pavement of the temple warm, on which the priest had to walk barefooted).

There were four chambers: one that of the lambs, one that of the seals, one that of the heating house, and one chamber

where the showbread was made. There is a contradiction to the Mishna in Midoth (I., 7): "Four chambers were in the heating house, like small rooms opening into a great hall: two belonged to the sanctuary, and two were profane; and small wickets parted the sacred ones from the profane ones. And what was their use? The southwestern was for the lambs for the sacrifices. The southeastern was that in which the showbread was made. In the northeastern the Maccabees (Hasmoneans) had hidden the stones of the altar profaned by the Greeks. The northwestern was used as a passage to the bath-house." (There is, then, a contradiction between the two about the names and use of the chambers and situation of the chamber of lambs?) Said R. Huna: The Tana according to whom is the Mishna in Tract Midoth is R. Eliezer b. Jacob, as we have learned (ibid. II., 5): The chamber at the northeast was the place where wood was kept, and the blemished priests examined the wood there, as mouldy wood was unfit for the altar. The northwestern chamber was the place of the cured lepers (who came to the Temple to be sprinkled to sacrifice). The southwestern? Says R. Eliezer b. Jacob: I forget what its use was. Abbu Saul says: Wine and oil for the offerings were kept there, and it was called the chamber of oil. Hence we see the Mishna in Midoth must be in accordance with R. Eliezer b. Jacob. And so it also seems from another Mishna in Midoth (IV.). R. Addi b. Abba said: Our Mishna is in accordance with R. Jehudah of the following Boraitha: R. Jehudah said: The altar stood in the middle of the court, and was in size thirty-two ells, ten ells opposite to the door of the Temple (wide twenty ells), eleven ells toward the north, and eleven ells to the south: so that the altar was opposite to the Temple and to its walls. Now, if you would say that the Mishna in Midoth is according to R. Jehudah, how can it be that the altar should be in the middle of the court? R. Addi the son of R. Itz'hak said: The chamber of the lambs was at the western side, and extended toward both the north and southwestern corners; and to him who came from the southern side it seemed to be the north, while to one who came from the north it seemed in the southern corner (but in reality it was in the southwestern).

"*The high-priest offers the first portion,*" etc. The rabbis taught: What is meant by his offering a portion the first? He may say what burnt-offering or meal-offering he wants to offer (and no other priest may touch it). And what is meant by his

taking a portion the first? He may say of which sin-offering or trespass-offering he desires to partake. And he can take one of the two loaves. He can also take four or five of the loaves of the showbread. Rabbi said: He always took five loaves, because it is written [Lev. xxiv. 9]: "And it shall belong to Aaron and to his sons." We interpret it thus: Half should belong to Aaron (or the high-priest) and half to the children of Aaron (priests). Does not this Boraitha contradict itself? First it is said, he takes one of the two loaves—that means, the half—and this is according to Rabbi, who maintains that the high-priest always takes the half. Now the middle part, which says that he takes four or five, must be according to the rabbis, who say he does not take the exact half; and in the conclusion it is said, Rabbi says he always takes five. It seems, then, that the first part and conclusion are according to Rabbi, and the middle part according to the sages? Said Abayi: The first part and the middle part are according to the rabbis, but they admit that out of two loaves the high-priest could not but receive one, as it was not becoming to give him half a loaf.

MISHNA: He is attended by some elders of the Beth Din, who read to him [out of Lev. xvi.] concerning the ceremonial of the day (of Atonement), and say to him: My lord the high-priest, say it aloud, lest thou hast forgotten, or not studied this. On the morning of the day preceding the Day of Atonement, he is placed at the eastern gate, and bulls, rams, and sheep are passed before him, that he should get a knowledge of the service.

During all the seven days he is free to eat and drink, but on the eve of the Day of Atonement, at dusk, he is not permitted to eat much, as it would induce drowsiness.

GEMARA: It is right that they should say to him, Perhaps thou hast forgotten. But that they should say to him, Perhaps thou hast not studied, is an ignorant man made a high-priest? Have we not learned in a Boraitha: It is written [Lev. xxi. 10]: "And the priest that is highest of his brethren." That signifies, that he must be highest among his brethren in physical strength, in personal beauty, in wisdom, and in wealth.

An anonymous teacher said: Whence do we know that, if he is not rich, his brethren the priests must make him rich? Because it is written: "That is highest of his brethren," that signifies, his brethren must contribute to make him highest.

Said R. Joseph: It presents no difficulty. That was the case

during the time of the first Temple, and this in the time of the second Temple. As R. Assi said: A whole measure of dinars, Martha daughter of Bithas gave to the king Janai, that he should make Joshua b. Gamla high-priest.

"*On the morning of the day preceding the Day of Atonement.*" We have learned a Boraitha: The he-goats were also passed before him. But why does not our Mishna mention it? Because (it holds that they were not passed), as the he-goats are only for the atonement of sin, he would have become dejected. If so, why were the bullocks passed, they are also for sins? Because the bulls were to atone for his sins and those of the priests, his brethren; he would not have become dispirited, because if they had sinned, he would have been told, and he would have induced them to repent. But the he-goats were to atone for the sins of all Israel: so he could not know who had sinned. Said Rabhina: This is what people say. Even if your sister's son is a (publican), you should not pass him in the street, for, since he knows your affairs, he will take from you more than from others.

"*During all the seven days,*" etc. We have learned in a Boraitha: R. Jehudah b. Naqusa said: They gave to him to eat bread of the best flour, and eggs that it should be digested more easily (that he should not find himself compelled to interrupt his service on the Day of Atonement for a human necessity). The sages said to him: This heats yet more. We have learned in a Boraitha: Symmachos said: They gave him as food no citron, no eggs, no old wine. According to others, he received no citron, no eggs, no fat meat, no old wine. Still others say: Even white wine he did not receive, because white wine brings a man to uncleanness.

MISHNA: The Elders of the Beth Din left him to the attendance of the Elders of the priesthood, who took him up to the house of Abtinas, made him swear, took farewell, and went away. They said: My lord the high-priest, we are delegates of the Beth Din, and thou art our delegate and the delegate of the Beth Din; we conjure thee by Him who has made His abode in this house, that thou shalt not alter one thing about which we have spoken to thee. He took farewell weeping, and they parted weeping.

If he was a teacher, he lectured; otherwise, the scholars lectured before him. If he was practised in reading, he reads; if not, they read to him. From which books of the Scriptures?

From Job, Ezra, and Chronicles. Zechariah b. Kabutal says: Many times I read to him out of Daniel.

GEMARA: We have learned in a Boraitha: Teaching him the service consisted in teaching him to take a handful of incense (which had neither to be spilled nor any left on the top of the hand). R. Papa said: The high-priest had two chambers, one that of Palhedrin, to sleep in, the other that of Abtinas, to learn the service. One was in the north, one in the south. One in the north, as we have learned in Midoth (V., 3): Six chambers were in the court: three in the north, three in the south. Those of the south were the chambers of salt, of Parva, and that where the entrails were washed. The chamber of the salt was where the salt was kept for the sacrifices; that of Parva, where the skins of the sacrifices of the sanctuary were salted, and on its roof was a bath-house for the high-priest on the Day of Atonement. The washing chamber was where the entrails of the sacrifices of the sanctuary were washed. Thence a stone staircase led to the roof of the chamber of Parva. The three in the north were: a chamber for wood, the chamber of Exile, and the chamber of Gazith (hewn marble stones).

About that of wood, said R. Eliezer b. Jacob, I forget for what purpose it was used. Abbu Saul says, the chamber of the high-priest was behind the first two of the above-mentioned ones; the roofs of them all were on the same level. In the chamber of Exile there was a well, which those returned from the Exile had dug; over it was a wheel, whereby water was drawn, to supply the whole Temple. In the chamber of Gazith the Sanhedrin of Israel held session, and examined there the priests. Whatever priest was found to be legally unfit for service, used to dress himself in black clothes, enveloped himself in black, and went away. If he was found fit, he would dress himself in white, envelope himself in white, and enter the Temple to serve with his brethren. One other chamber was in the south, as we have learned in the following Mishna (Midoth V., 4): Seven gates were in the court: three at the north, three at the south, and one at the east. The south one was the Gate of Illumination, the other the Gate of the Sacrifices, the third the Gate of Water. At the east was the Gate of Nicanor; to this gate were adjoined two chambers, one at the right and one at the left. One was the chamber of Pin'has, the superintendent of the priests' wardrobe; the other was where barrels were manufactured. At the north was the Gate of Nitzutz. There was

a balcony and an attic over it, where priests were watching (the Temple) above, and the Levites beneath. Inside was the Choyl (a round walled and roofed place, in the Temple). The other was the Gate of Sacrifices. The third was the Gate of the Heating House, and we have learned in another Boraitha that on that day the high-priest took five legal bathings, and ten times sanctified his hands and feet from the laver. [See Ex. xxx. 18.] Both the bathing and the sanctifications he performed on the roof of the chamber of Parva, in the sanctuary, except the first one, which he did not take in the sanctuary, but near the Gate of Water. The bath-house was on one side of his chamber, only I don't know whether the Chamber of Palhedrin was in the north and that of Abtinas in the south, or *vice versa*.

"*Thou art our delegate.*" Shall we assume that in this Mishna is found an objection to R. Huna b. R. Joshua, who said that the priests are delegates of the Merciful One (not of Beth Din)? If they were our delegates, then are there things which we ourselves may not do, and our delegates may (as in the case with the priests)? They did not say to the high-priest that he is their delegate, but that they conjured him to act according to their opinion and to that of Beth Din.

"*He wept, and they wept.*" He wept for being suspected of being a Sadducee, and they wept because they probably suspected an innocent man, as R. Joshua b. Levi said: "He who suspects an upright man is smitten by God in his body." (See Sabbath, p. 191.) Why had he to be conjured? It was feared lest he prepare the incense on the censer outside of the Holy of Holies, and then enter with the censer, as did the Sadducees. The rabbis taught: It happened to one Sadducee, who prepared outside, and entered the Holy of Holies with it, when he came out, he was rejoicing greatly. When his father met him, he said to him: My son, though we are Sadducees, yet we must fear the Pharisees. He replied: All my years I was anxious to fulfil the verse [Lev. xvi. 2], "For in the cloud will I appear upon the mercy seat," and I said to myself, When will come the day when I might do it? And to-day, when I have had opportunity, should I not have done it? It was said, it did not take long before he died, and lay amidst rubbish, and worms crept out of his nose.

"*Zechariah b. Kabutal,*" etc. R. Hanan b. Rabha taught to Hiya the son of Rabh in the presence of Rabh: Said R. Zechariah b. Kavutal: Rabh made to him a sign with the hand that he

should say Kabutal. Why did he not say it to him? Rabh read Sh'ma' at that time. Is it permitted to make signs when Sh'ma' is read? Did not R. Itz'hak b. Samuel b. Martha say: He who reads Sh'ma' must not wink his eyes, whistle with his lips, nor make signs with his fingers? And in a Boraitha we have also learned: R. Eliezer Hasma has said: He who reads Sh'ma', and winks, or whistles, or makes signs with his fingers, of him the verse says [Isaiah xliii. 22]: "On me hast thou not called, Jacob." It presents no difficulty; in the first part of the Sh'ma' one may not do so, but during the recital of the second one may.

MISHNA: If he began to slumber, the young priests snapped with their fingers Tzreda, addressing him: My lord the high-priest, rise, and cool thyself once on the [marble] floor. He was kept occupied until the time for slaughtering the daily offering.

GEMARA: What is meant by the word Tzreda? Said R. Jehudah, the thumb. R. Huna showed this performance, and the sound went to all ends of the college.

"*Cool thyself once on the floor.*" Said R. Itz'hak: They said to him, show to us Kidah (supported only on his thumbs and great toes, to kiss the floor).

"*Until the time for slaughtering.*" We have learned in a Boraitha: He was not occupied by a violin or harp, but by voices: they sang to him. What? From Psalm cxxvii.: "Unless the Lord do build a house, in vain labor they that build it." The respectable men of Jerusalem forbore to sleep the whole night, and talked among themselves, that the high-priest might hear the sound of voices, and not fall asleep. We have learned in a Boraitha: Abbu Saul says: Even in the countries where the temple was hot, they did it, in honor of the temple, but they came to sin on these occasions. Said Abayi, according to others, R. Na'hman b. Itz'hak: By what Abbu Saul said of the other countries, he meant Nahardea. Elijah said to R. Jehudah, the brother of R. Sala the Pious: You think to yourselves why Messiah does not come. To-day is the Day of Atonement, and many virgins have been lain with to-day in the City of Nahardea. Said to him R. Jehudah; What says the Holy One, blessed be He, to this? Elijah replied: He said in reference to this the verse in Genesis [iv. 7]: "Sin lieth at the door." He asked: What says Satan to this? Elijah answered: On the Day of Atonement he has no right to bring forward accusations.

MISHNA: Every day the altar is cleared of the ashes at the time of the crowing of the Geber (cock), a little while before or after it; but on the Day of Atonement it is done soon after midnight, and on the other holidays after the first watch of the night. And before the cock's crowing the fore court used to be filled with Israelites.

GEMARA: What is meant by Geber? Said Rabh, a *man* (*Geber* signifies "man" also). But the disciples of R. Shila say, a cock. It happened once, that Rabh was at the place where R. Shila was the chief of the college. R. Shila had no interpreter (as he lectured). Rabh assumed the function of his interpreter. When they came to this Mishna, "the cock's crowing," Rabh interpreted, "man's heralding." Said to him R. Shila: Let the Master say, "the cock's crowing." Rabh answered: A song good for educated men is not good for tanners. I have interpreted it thus for R. Hiya; he did not censure me, and you it does not please. Said R. Shila: Is the Master Rabh? Then, leave off. It is not fit that you should be my interpreter (sit on my chair, and I will interpret for you)? Rabh replied: The world says, If one has hired himself to a man, even if he tells him to brush wool (a work only for women) he should do it. According to others, he answered to him: In matters of holiness one increases, but does not decrease.

We have learned in one Boraitha according to Rabh, and in another according to R. Shila. We have learned according to Rabh: Gabini the Herald used to herald: Rise, priests, to your service; and Levites, to your chanting; and Israel, to your standing.* And his voice was heard at the distance of three *parsaoth*. It happened once that Agrippa the king being on the road, he heard Gabini's voice at the distance of three *parsaoth*. When he returned home, he sent him presents. Nevertheless, the voice of the high-priest surpassed in strength that of Gabini the Herald. Because the Master said, when he used to say on the Day of Atonement, "I pray Thee, O Lord," his voice was heard at Jericho, and Rabba bar bar Hana said in the name of R. Johanan: Between Jericho and Jerusalem is the distance of ten *parsaoth*, and although on the Day of Atonement one is weak from fasting, and though his voice was heard by day, whereas Gabini heralded only by night.

And we have learned in a Boraitha according to R. Shila: "He

* See Shekalim.

who walks on the road before the "Kriath Hageber" (cock's crowing), his blood is on his head. R. Joshiah says: Before the second cock's crowing. And according to others, before he crows the third time. Of what sort of cock is this said? Of a moderate cock (not a hasty or tardy one). R. Jehudah in the name of Rabh said: "When Israel used to come on the three pilgrimages, they stood crowded. But when they prostrated themselves, they had much space, and stationed themselves eleven ells behind the mercy-seat." What does he mean? Although they were eleven ells behind the mercy-seat, and were crowded, yet when they prostrated themselves they had much room, and this was one of the ten miracles that occurred in the Temple. (See Aboth, V., 2.)

Were there only ten miracles? Did not R. Ushia say that when Solomon built the Temple, he planted there all kinds of golden fruit-trees, and they bore fruits at the proper times, and when the wind blew on them, they fell down and were ripe? As it is written in Psalm lxxii. 16: "Its fruits shall shake like the trees of Lebanon." And when the Gentiles had entered the Temple, the fruit-trees became withered (blighted), as it is written [Nahum i. 4]: "The flowers of Lebanon wither," and the Holy One, blessed be He, will restore them. As it is written [Is. xxxi. 2]: "It shall blossom abundantly and rejoice; yea, with joy and singing, the glory of the Lebanon shall be given unto it." (So we see there were miracles besides the ten?) In the Mishna are counted only the perpetual miracles, but those happening on certain times only have not been reckoned.

The Master says elsewhere that in Jerusalem were two perpetual miracles: the rain never extinguished the fire on the outer altar, and the smoke was always straight in spite of the winds, in whichever directions they might blow. But we have learned in a Boraitha: Five things have been said of the fire on the *altar:* It had the form of a lion, it was clear as the sun, it was palpable, it consumed moist things as dry ones, and never emitted any smoke. (There is, then, a contradiction, since there was no smoke at all?) The smoke was that of the fire kindled by men. As we have learned in a Boraitha: It is written [Lev. i. 7]: "And the sons of Aaron the priest shall put fire upon the altar." Infer from this, that although the fire descended from heaven, it was a merit to kindle an earthly fire also. (There is another contradiction?) You say it had the form of a lion. We have learned in a Boraitha, R. Hanina the Segan of

the priests said: I have seen it, and it had the form of a dog? It presents no difficulty: in the time of the first Temple it was like a lion, and of the second, like a dog.

But in the second Temple there was no heavenly fire at all, as R. Samuel b. Inia said: It is written [Haggai i. 8]: "That I may take pleasure in it, and be glorified"; it is written "Veikabed," and it is read "Veikabdah." Why is the "h" missing? This is to hint that five (the numeral value of "h") things were missing in the second Temple. What are they? The ark, the mercy-seat, the cherubim, the heavenly fire, the Shekhina, the Holy Spirit, and the Urim and Tumim. So we see there was no heavenly fire in the second Temple at all? We may say, it was there, only it did not assist in consuming.

It is said above, that no wind could divert the smoke. But this is not so? Did not R. Itz'hak b. Abdimi say: At the expiration of the Feast of Tabernacles, all looked on the smoke of the *altar:* when it was inclined to the north, the poor rejoiced, and the wealthier were dejected, for it showed there would be too much rain, and the fruit would rot: but when it was inclined to the south, the poor were out of spirits, and the rich were glad, for this was a sign there would be little rain, and the fruit would remain well-preserved, and fetch a high price. When it was bent eastward, all rejoiced, and westward, all were deploring it (thus we see that the smoke *was* swayed by the wind?). It was made by the wind oblique, but not crooked.

CHAPTER II.

CONCERNING THE LOTS THE PRIESTS DREW, WHAT PRIESTS SHOULD GO TO THE ALTAR, AND HOW MANY PRIESTS WERE NEEDED FOR EACH SACRIFICE.

MISHNA: Formerly, whoever desired to clear the altar of the ashes did so. When there were many of them (priests), they ran on the staircase (leading to the top of altar). Whoever first came within four ells, merited it. When two were on a par, the superintendent said to them (all priests): Put forth your fingers. Which did they put forth? One or two, but not the thumb in the Temple (which were counted instead of the persons they belonged to, and the service was given to the last).

Once an accident happened: one of two who were running up the staircase pushed his companion, so that he fell, and broke his foot. Seeing that it is attended by accidents, the Beth Din made the reform, that the altar should be cleared by lot. There were four lots: this is the first lot.

GEMARA: Why had not lots been used formerly? Previously it was thought that since it is done by night and not considered an important service by the priests, they would not come in considerable number, but when it was seen that the case was otherwise, this reform was made.

Was this reform only for this purpose? We know that he who cleared the ashes also arranged the pieces of wood on the altar, and brought the two measures of wood, and that was considered an important service? Said R. Ashi: Two reforms were made: at first, when it had been thought they would not come in considerable numbers, no lot was used at all; then, when it was observed that they came and accidents happened, the use of the lot was introduced. Then the priests ceased to come, since they were not sure of drawing the lot at all. It was then reformed, that he who clears the ashes should arrange the pieces of wood and bring the two measures also, that the priests might come to draw the lot, since it would be for important services.

"*Put forth your fingers.*" We have learned in a Boraitha:

"He said to them thus. Put out your fingers, that they be counted." Why did he not count the persons themselves? This can be a support to what R. Itz'hak has said: "Israel must not be counted, even for religious duties." As it is written [1 Sam. xv. 4]: "And Saul ordered the people to assemble, and he numbered them by means of lambs."* Said R. Elazar: Whoever numbers Israel, trespasses a negative commandment, because it is written [Hosea ii. 1]: "Yet shall the number of the children of Israel be like the sand of the sea, which may not be numbered." R. Na'hman b. Itz'hak says: He trespasses two commandments, as it is written, which cannot be measured nor numbered. R. Samuel b. Na'hman, in the name of R. Jonathan, found a contradiction in the same passage: It is written that the number of Israel will be like that of the sand (then a definite number is given), and then it is said, it cannot be counted—that is, has no number. It presents no difficulty: When Israel shall do the will of God, they will be without number; but when they do not do God's will, they will be of a definite number. Rabbi in the name of Abbi Joseph b. Dustai says: There is no contradiction in it. Men cannot count the sand, but in Heaven they can count it.

R. Huna said: How secure and careless should the man feel that knows that the Lord helps him: Saul committed only one sin; he lost his royalty: David committed two sins, and yet retained it. Saul's sin was, that he spared Agag. But he massacred the priests of Nob? That which is written [1 Sam. xv. 11], "I repent that I have set up Saul as king," was said already on the occasion of the sin of Agag [which was the first, chronologically]. What are David's two sins? That of Uriah and his numbering of Israel. But there is a third one? That of Bath-Sheba? For that of Bath-Sheba he was punished, as it is written [2 Sam. xii. 6]: "For the ewe he shall pay fourfold." What were the four punishments? The death of Bath-Sheba's child, the death of Amnon, the misfortune of Tamar, and Absalom. But for numbering Israel he was also chastised? As it is written [2 Sam. xxiv. 15]: "And the Lord sent a pestilence in Israel from the morning even to the time appointed." In that case all Israel was chastised, but not he himself. But in those instances it was also his children on whom the wrath was visited, not on

* The Talmud translates *Telaim* lambs, but the ordinary versions regard it as a proper name.

himself? Nay, he was personally punished, too. As R. Jehudah says in the name of Rabh: For six months David became leprous, and the Sanhedrin separated themselves from him, and the Shekhina. As it is written [Ps. cxix. 79]: "Let those that fear thee return unto me, and those that know thy testimonies." And it is written [ibid. li. 14]: "Restore unto me the gladness of thy salvation." (The first refers to the Sanhedrin, and the second to the Shekhina.) But did not David also believe calumnies? (of Ziba). For this he was also punished, for R. Jehudah said in the name of Rabh, when David said to Mephibosheth [2 Sam. xix. 30], "I have said, Thou and Ziba shall divide the field," a heavenly voice was heard, proclaiming that Rehoboam and Jeroboam should divide the kingdom.

It is written [1 Sam. xii. 1]: "One year old was Saul in his reign."* Said R. Huna: That means, he was innocent of sin as a child of one year. R. Jehudah said in the name of Samuel: Why did not Saul's dynasty last long? Because there was no stain on his whole family. And R. Johanan in the name of R. Simeon b. Jehozadak said: A man must not be made the head of a congregation unless he has a whole heap of reptiles (family disgraces) at his back, in order that, if he should become haughty, people should be able to say to him: Look around, behind your back. R. Jehudah in the name of Rabh said: Why was Saul punished? Because he was willing to dispense with honors. As it is written [1 Sam. x. 27]: "But the worthless men said, in what can this one help us? And they despised him, and brought him no presents. But he acted as though he were deaf." And soon after this is written: "Then came up Nachash the Ammonite," etc.

R. Johanan in the name of R. Simeon b. Jehozadak said again: A scholar who is not revengeful and remembers not injuries as a serpent, cannot be called "Talmud Hakham" (a teacher). But it is written [Lev. xix. 18]: "Thou shalt not avenge nor bear any grudge"? There precautionary matters are spoken of (but in regard to bodily pain or honor it is different). As we have learned in the following Boraitha: "What is called revenge, and what is called bearing a grudge? Revenge is such a case: When one comes to the other, and asks him to lend a sickle to him, he says: Nay. On the morrow, the second comes to the first, and wants to borrow an axe. He answers:

* Literally it is thus, but translators have it, "When he had reigned one year."

I do not wish to lend to you, as you have not lent to me. This is called revenge. What is bearing a grudge? When one comes to another, and asks him to loan him an axe, and does not get it. On the morrow the second comes to the first, and wants to borrow a shirt. He answers: I lend it to you, because I am not like you, who did not want to lend me yesterday. This is called bearing a grudge." But in case of bodily pain, has not the Torah forbidden vengeance? Have we not learned in the following Boraitha: "Those who are wronged and not wronging, bear their shame and do not reply, do good deeds out of love, and rejoice not at afflictions, of them says the verse [Judges v. 31]: 'Those that love him are as the rising sun in his might.'"

Reply they should not, bear a grudge in their hearts they may (and if *another* party avenges them, they need not interfere). Is that so? Did not Rabha say: He who leaves his injuries unavenged, will have his sins forgiven in Heaven? That means, if the offender comes to propitiate him, he should pardon.

"*Which? One, or two?*" If two, why is it said at all, one (or two)? This applies to those who have a disease, that they cannot stretch forth one finger, without stretching out the other also. We have learned in the following Boraitha: They used to put out one finger when healthy, but when diseased, they could stretch out two.

"*Once an accident,*" etc. The rabbis taught: It once happened two priests were running, and were on a par. When they came to the top, one outstripped the other by four ells; he took a knife and stuck it into the other one's breast. R. Zadok stood on the staircase of the porch, and said: Brethren of Israel, hear! It is written [Deut. xxi. 1]: "If there be found a slain person in the land . . . shall take a heifer." For whom shall we bring the heifer? For the city, or for the Temple? The whole people began to weep. Then the father of the young man arrived, and found him yet agonizing. He said: "May he (the dead) be an atonement for your sins; and as he shows yet signs of life, the knife has not become unclean (since he still lived)." We may infer from this, that the defilement of the knife was considered by them as a yet greater misfortune than bloodshed.

The rabbis taught: It is written [Lev. vi. 4]: "He shall put off his garments, and put on other garments, and carry forth the ashes." We might think that, as on the Day of Atonement, he should strip himself of his holy garments and put on profane

garments, for removing the ashes. Therefore it is written in both cases "garments," that from the analogy of expression we should understand that both are holy garments. And by "other," older ones are meant. R. Eliezer, however, said: From the expression "other garments, and carry forth," we can infer that even a blemished priest may carry forth the ashes. Said Resh Lakish: As R. Eliezer and the first Tana differ about the carrying forth of ashes, so do they differ about the lifting up of the ashes from the altar. R. Johanan, however, said: They differ only about the carrying forth of the ashes, but about the lifting up all agree that it is a respectable service, which only an unblemished priest may perform. What is the reason of Resh Lakish, who says they differ on this point too? The reason of Resh Lakish is: If it were a real service, could it be performed only in two garments [ibid. 3]? And what will R. Johanan say to this? He says: The Torah only specifies these two, but all four are meant.

Rabh said: For performing the following four services a layman deserves capital punishment: namely, sprinkling, offering of incense, officiating at the water-offering and the wine-offering. And so also Levi taught in his Boraitha; also as to the lifting of the ashes. What is the reason of Rabh's decree? Because it is written [Num. xviii. 7]: "And thou and thy sons with thee shall keep your priesthood concerning every matter of the altar, and for that within the vail, where ye shall serve; as a service of gift do I give you your priesthood; and the stranger that cometh nigh shall be put to death." Service of gift, but not of removing. Levi says: It is written, "Every matter of the altar," which includes all things. Rabha propounded a question: How about a service of removing from an altar in the Temple (inner)? Is this considered by Rabh like a service of gift, or like a service of removal? Rabha decided later, it is written [ibid.], "and for that within the vail"; but it is written, "and within the vail": that makes the service like to a service of removing. We have learned in one Boraitha according to Rabh, and in another according to Levi. According to Rabh we have learned as follows: "The services for which the layman is guilty of death are: Sprinkling of blood, inside or in the Holy of Holies (on the Day of Atonement); sprinkling the blood of a sin-offering of a bird; wringing-out of a bird's blood which is a burnt-offering [Lev. i. 15]; and officiating at the offering of three *lugs* of water or three lugs of wine." We

have learned according to Levi as follows: "The services for which a layman is guilty of capital punishment are: Removing the ashes; performing the seven sprinklings within, and on a leper; and offering on the altar something either fit or unfit."

Wherefore was the drawing of lots repeated? Said R. Johanan: To cause more excitement in the Temple, as it is written [Ps. xv. 15]: "So that we took sweet secret counsel together, and walked unto the house of God in a great company."

In what garments were the lots drawn? R. Na'hman says, in ordinary garments; R. Shesheth says, in holy ones. R. Na'hman says, in ordinary clothes, because some of the priests being strong men, they could snatch the lot by force, and go to perform the service, if they had the holy garments on. R. Shesheth says, in holy garments, because, if they had the ordinary ones on, they might by absence of mind perform the service in them, since they were very eager to perform the service.

MISHNA: The second lot (determined) who should slaughter, who sprinkle, who should clear of ashes the inner altar and who care for the lamp, who should take up members to the staircase of the altar: the head, the leg, the two forelegs, the tail (tip of tail), the (left) leg (hind), the chest, the windpipe, the two flanks, the entrails, the fine flour, the things made in pans [1 Chron. ix. 31], and the wine.

Thirteen priests are privileged to do all this. Ben Azai, however, said, in the presence of R. Aqiba, in the name of R. Joshua: It (the animal) was offered as it had walked. (See Gemara.)

GEMARA: The schoolmen propounded a question: Were the lots drawn for each service separately, or at once for all services? Come and hear: R. Hiya taught, the lots were not drawn for each service separately; but the priest who had drawn the lot of the daily offering, obtained the service for the other twelve following him.

"*The second lot,*" etc. The schoolmen propounded a question: Who received the blood into the basin, the priest that slaughtered or the priest that sprinkled? Come and hear! We have learned that Ben Katin made twelve cocks for the laver, that twelve priests might sanctify their hands at once. If the priest that slaughtered received the blood, then thirteen cocks would have been needed. Hence infer that the sprinkler did it.

"*Ben Azai said,*" etc. The rabbis taught: What is meant

by "it had walked"? In the following order: The head and the leg, the chest, the stomach, the windpipe, the two forelegs, the two flanks, the tip of the tail, and the other hind leg. R. Jose says: As it has been stripped, so it was offered. How had it been stripped? The head, the leg, the tail, the other leg, the two flanks, the two forelegs, the chest, the windpipe.

R. Aqiba says: As it has been cut to pieces. How had it, then, been cut to pieces? The head, the leg, the two forelegs, the chest, the windpipe, the two flanks, the tail, and the other leg. R. Joseph the Galilean says: According to the excellence of the members. How is that? The head, the leg, the chest, the windpipe, the two flanks, the tail, the other leg, and the two forelegs. Said Rabba: Our Tana and R. Jose both agree that the members are to be offered in the order of their excellence. One, however, says, according to the size of the members; the other, according to the fatness. Why the head and leg together, according to all? Because the head contains too many bones, the leg, which contains more flesh, is added.

MISHNA: The third lot was drawn by new (priests) who had not yet fumed incense; the fourth, by new and old ones, (to determine) who should take up the members (parts) from the staircase to the altar.

GEMARA: We have learned in a Boraitha: No man has repeatedly offered incense. What is the reason? Said R. Hanina: Because the offering of incense renders rich. Said R. Papa to Abayi: Whence do we deduce this? Shall we assume this, because it is written [Deut. xxxiii. 10], "They shall put incense before thee," and in the next verse, "Bless, O Lord, his substance"? Then it should not be due to incense alone, since at the end of the tenth verse it is also written, "and whole burnt sacrifice upon thy altar." He answered him: A burnt-offering is frequent (besides being a daily sacrifice, it was offered by many individuals, and all could not get rich), but incense is not frequent.

Rabba said: You will not find a young scholar who decides questions in Law, who should not be of the tribe of Levi or Issachar. Levi, as it is written [ibid.]: "They (the tribe of Levi) shall teach thy ordinances unto Jacob; and Issachar, because it is written [1 Chron. xii. 32]: "And of the children of Issachar, those who had understanding of the times." But why not also Jehudah? As it is written [Ps. lx. 9]: "Judah is my lawgiver." I mean, to deduce the traditional

sayings from the written Law (this can only do those of Levi and Issachar).

R. Johanan said: For the evening daily offering, lots were never drawn; he who had drawn the lot for that of the morning performed this service also.

MISHNA: [The parts of] the daily sacrifice are offered [according to circumstances] by nine, ten, eleven, twelve—no less and no more. How so? Itself by nine. During the Feast [of Booths] one carries a pitcher of water; thus it is ten. Toward evening by eleven, itself by nine, and two carrying two measures* of wood. On Sabbath by eleven, itself by nine, and two having in their hands two spoonfuls of frankincense for the showbread. On the Sabbath which occurs in the middle of the Feast [of Booths], one carrying a pitcher of water [added to the eleven].

GEMARA: Said R. Abba, according to others Rami b. Hama or R. Johanan: Water must be offered during the Feast of Tabernacles only with the morning daily offering, but not with that of evening. This we deduce from the Mishna which states: When the Sabbath occurs during the festival, one is added for carrying water. If water had to be offered with the evening offering also, then it would occur on another day of the festival than a Sabbath, as two carry measures of wood, and a third would be needed for carrying the water (and twelve were needed).

We have learned in a Boraitha: R. Simeon b. Jochai said: Whence do we deduce that the daily evening offering requires two measures of wood, carried by two priests? Since it is written [Lev. i. 7], "And (they shall) lay the wood in order," and as this cannot occur in case of the morning daily offering, as it is written [ibid. vi. 5], "The priest shall burn wood upon it every morning, and he shall lay in order upon it the burnt-offering," we must suppose, then, that what has been said before, applies to the daily evening offering.

R. Hiya taught: The lots amounted sometimes to thirteen, sometimes to fourteen, or fifteen, or sixteen (fourteen on the Feast of Tabernacles, for the pitcher of water; fifteen on the Sabbath; sixteen for the Sabbath during the Feast of Taber-

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* The Hebrew term is Gizrin—גזרין. After Jost, we have translated it in Shekalim, VI., *f.*, p. 28, "cords"; but as it is too heavy for two men to carry two cords of wood, we have here translated only "measures," and according to all commentators on the Mishna it is a certain measure of wood for the altar, unknown to us.

nacles). But did we not learn, seventeen? That Boraitha is not according to R. Eliezer b. Jacob, but according to R. Jehudah.

MISHNA: A ram was offered by eleven: the flesh by five; the entrails, fine flour, and wine by two, respectively. A bull is offered by twenty-four: the head by one, the hind leg by two, the tail by two, and the [left] hind leg by two; the chest by one, the windpipe by three, the two forelegs by two, the two flanks by two; the entrails, fine flour, and wine by three, respectively. This refers to public sacrifices. A private sacrifice could be offered, if one chose, by one. In respect of skinning and cutting to pieces, both [sacrifices] are equal [private or public, both may be skinned, etc., by a stranger].

GEMARA: We have learned in a Boraitha: The flaying and cutting into pieces may be performed by a layman. Said Hezkiah: Whence do we deduce this? Because it is written [Lev. i. 7]: "And the sons of Aaron the priest shall put fire upon the altar." Hence only the fire must be put by priests, but the flaying may be done by others. But this verse is needful for its own sake, how can it be deduced from it? Said R. Simeon b. Ashi: I once heard how Abayi explained it to his son as follows: It is written [ibid. 5]: "*He* shall kill." A layman is meant. How is this known? Because it is written [Num. xviii. 7], "And thou and thy sons with thee shall keep your priesthood," one might say, that the slaughtering is also meant. Therefore it is written: "And he shall kill the young steer before the Lord, and the sons of Aaron the priest shall bring near the blood." From this we see that all that precedes the bringing near of the blood may be done by a layman. And it is also written [Lev. iii. 2]: "And he shall lay his hand . . . and kill it." From this it can be deduced that the layman who has laid his hand upon it may kill it.

[Rashi explains, that all this is stated in a Mishna elsewhere, and Abayi explained to his son that what Hezkiah had said is in accordance with that Mishna.] Now let us see: We have concluded that from the sprinkling of the blood onwards all must be performed by priests; and the fire is put upon the altar later. Why is it then necessary to say that Aaron's sons should do it? This is to exclude the flaying and cutting into pieces, which, though they come after the sprinkling of the blood, may be done by a layman.

It was taught: R. Assi in the name of R. Johanan said: If a layman has put the two measures of wood on the altar, he is

liable to capital punishment, as it is a service belonging to the following day (and not the final service of the night). Rabba opposed: According to this supposition (that it is a service of the day), a lot had to be drawn ? Rabba has forgotten what we have learned above, that he who drew the lot to lift the ashes, also obtained the privilege to arrange the measures of wood. Said Mar Zutra, according to others R. Ashi: How can it be said it is a service of the next day ? Did we not learn further in the Mishna: "Go and see whether it is time to slaughter" ? If the arranging of the wood was also a service of the next day, why was not this mentioned likewise (for if it were done when it was yet night it would be invalid) ? This is no difficulty. If the animal was slaughtered before the time, it was invalid, but if the wood was put on before the time, it could be removed and replaced by a priest after daybreak.*

* In the text there is still another interpretation, that R. Johanan means to say that the service in question is but the final service of the night and does not belong to the day ; and again, questions and answers are raised and made, and it is so complicated that both Rashi and Tosaphoth could not explain it without additions and omissions, and the result seems to be, after all, that the service belongs to the day. We have therefore, contrary to our method, omitted it.

CHAPTER III.

REGULATIONS CONCERNING THE TIME OF SLAUGHTERING THE DAILY OFFERING, THE ENTERING OF A LAYMAN INTO THE COURT OF THE TEMPLE, AND THE ORDER OF THE HIGH-PRIEST'S SERVICE ON THE DAY OF ATONEMENT.

MISHNA: The Superintendent used to say to them: Go out and see whether the time for slaughtering has come. If it had come, the one who saw it said: "(*Barqai*) It becomes light." Matthew b. Samuel says: He used to ask: "Is the whole east bright, as far as Hebron?" and he answered: "Yea."

[Why was all this necessary? Because on one occasion the moonlight was bright, and they mistook it for dawn. They slaughtered the daily sacrifice, and removed it to the place of burning (finding it unfit).] The high-priest used to be then taken down to the bath. This was the rule in the temple: After necessary human needs a bath had to be taken, and after making water one had to wash his hands and feet.

GEMARA: We have learned in a Boraitha: R. Ishmael said: He said: "*Baraq barqai.*" And R. Aqiba said: "*Ala' barqai* (The light has risen)." Ne'huma b. Aphaqshyon said: He said: "It has become light even at Hebron. But R. Jehudah b. Bathyra said: He said: "The whole east is bright, as far as Hebron." Then each went to do his work. When each went to his work, it was full day. Did they wait so long? It is meant, those who needed laborers went to look for them. Said R. Sophra: The Mincha prayer of Abraham was when the walls begin to be blackened by shadow. Said R. Joseph: Have we to imitate Abraham? Said Rabha: The Tana learns from Abraham, why shall we not? As we have learned in the following Boraitha: It is written [Lev. xii. 3]: On the eighth day shall the flesh of his foreskin be circumcised." But those who are devout do this religious duty early in the morning. As it is written [Gen. xxii. 3]: "And Abraham rose up early in the morning." Therefore says Rabha: How can we learn of Abraham? He was an older

man, who taught the public,* and his actions are not to be applied to common men.

"*Matthew b. Samuel says,*" etc. Who used to say, "Yea"? If you wish, I will say, he who stood on the roof used to say: "The east is bright," and as the one who stood beneath asked him: "As far as Hebron?" he would reply: "Yea." And if you wish, I can say: He who stood beneath used to say: "Is the east bright?" The one on the roof would then say: "As far as Hebron?" He would reply: "Yea." (Rashi explains: It is written elsewhere: Why Hebron? To remind of the merit of the patriarchs.)

"*Why was all this necessary?*" How could they have made this mistake? Did we not learn in a Boraitha: Rabbi said: The beams of the moon are not like to those of the sun. For those of the moon rise straight like sticks, whereas those of the sun diverge in all directions. The disciples of R. Ishmael taught: That time it was a cloudy day, and the moon's rays were multiplied in all directions as those of the sun.

R.. Na'hman said: The heat during a clouded day is worse than the solar heat itself. A similar instance I can show: A barrel of vinegar smells more strongly when one hole is made in it than when it is wholly opened. A mixed light (of the sun and fire) is more unendurable (by the eye) than the solar light itself. A similar case: It is more difficult to stand under a shower, than to enter wholly into water. The thoughts about women are more exhausting than the sin itself. A similar case: The smell of wasted meat is more irritating than the meat itself. The heat of the end of summer is worse than that of the summer itself (because it is easier to catch a cold, because the body has been inured to heat during the summer). A similar case is: When an oven is heated four or five times a day, then even a couple of pieces of wood render it hot. Fever is much worse in the winter than in the summer. A like case is: In a cold oven much wood is necessary to heat it; hence if one has a high temperature in the winter, the fever must be great. To study old subjects is much more difficult than a wholly new subject. A like case: It is easier to make clay of new sand than of sand which had once been part of a building.

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* Here follows a passage to prove that whenever "old man" is used in the Bible, one who teaches in a college is meant; but as it is mentioned elsewhere we omit it.

R. Abahu said: What is the reason that Rabbi says that the solar rays are in all directions? Because it is written [Ps. xxii. 1]: "To the chief musician upon the hind of dawn." As a hind has her horns diverging, so are the sun's rays.

R. Elazar said: Why are the prayers of the upright compared to a hind? As the horns of a hind diverge as long as they grow, so the more prayers they will offer, the more they are heard.

"*They slaughtered the daily sacrifice.*" To what does this refer? If all the year (they mistook the passage beginning with "The high-priest" to be connected with the foregoing), why was the high-priest taken to the bath? During the whole year he does not sacrifice? If it refers to the Day of Atonement, then there is no moon in the middle of the night (as it is the tenth day in the month). The answer is, the two passages have no connection. When it was bright, they took him to the bath.

"*This is the rule,*" etc. The feet he had to wash, since it was possible they had been defiled while performing the function; but the hands? Said R. Abba: Hence it can be inferred, that it is a merit to clean with one's hand the feet in such a case. And this is in support of what R. Ammi had said: A man may not go out into the street when his feet have been thus defiled, lest it be said that he is suffering from a certain infirmity [Deut. xxiii. 2, end]—lest it be said his children are bastards.

MISHNA: No one may enter the forecourt [even of Israelites, not priests] to do service, even when he is clean, before he has bathed. On this day the high-priest bathes five times, and washes his hands and feet ten times. All these ablutions are taken within the sanctuary, over Beth Haparva, except the first. A screen of linen [byssus] was placed between him and the people.

GEMARA: B. Zorna was asked: What was the bathing needed for? He said: If one passes from one holy place to another, and from a place which it is *Karath* to enter, to a similar place, still one must take a bath; how much more when one passes from the forecourt, which is not a holy place, and which it is not *Karath* to enter, to the sanctuary. R. Jehudah says: The bathing is not obligatory. It is only used as a reminder. If he was once unclean, and forgot to bathe, he will now remember it, and will wait after bathing till sunset. On what point do they differ? In case he entered without having bathed, according to R. Zorna, he has committed a sin, and rendered the service invalid; according to R. Jehudah, he has not.

Abayi asked R. Joseph: Ought there to be nothing between his body and the water in this bathing, as in other bathing? Or if it is only as according to R. Jehudah, that does not matter? He answered: All that the rabbis have ordered must be done as if it were biblical. He asked him again: If only a part of his body (as head, foot, hand) is introduced into the sanctuary, is a bathing also necessary? He replied: The thumbs and great toes of a leper, which must be besprinkled by the priest with blood [Lev. xiv. 14], he yet introduced into the sanctuary, while standing in the gate of Nicanor, as we have learned in a Boraitha. We see, then, that this was not considered entering, as he could not enter himself.

"*Bathes five times.*" The rabbis taught: Five times the high-priest bathed, and washed his hands and feet ten times, all this in the sanctuary over the Beth Haparva, except the first, which was not in the sanctuary, but over the Gate of Water, and near the high-priest's chamber.

"*A screen of byssus,*" etc. Why one of byssus? That is according to R. Kahna, as he says further, to remind him that the service of this day is in the linen clothes (not golden). So we say it is meant in this case.

MISHNA: He undressed, went down, and dived. After he had come out again, and wiped himself (dried himself with a sponge?), the garments of cloth of gold were brought to him, which he put on, and then washed his hands and feet. They brought to him the daily sacrifice; he made an incision, and another completed the slaughtering in his presence. He took up the blood, and sprinkled it, went in to fume the morning (matinal) incense, and to trim the lamps, as well as to offer the head, the members, the things made in pans, and the wine.

The morning incense was offered between the blood and the members; that of evening, between the members and drink-offerings. If he was an aged or delicate high-priest, the cold water of the bath was mixed with water warmed previously.

GEMARA: Our Mishna, which says that after bathing he put on the garments of cloth of gold without having washed his hands and feet previously, is not in accordance with R. Meir, who maintains that the hands and feet must be washed twice at each time of his putting on the garments. As we have learned in the following Boraitha: A screen of linen was placed between him and the people. He undressed himself, went down, dived, came out, wiped himself. They brought him the garments of

cloth of gold, he put them on, he washed his hands and his feet. R. Meir, however, said: He undressed himself, washed his hands and feet, and then went down, and dived. He came up, dried himself. They brought him the garments of cloth of gold, he put them on, then washed his hands and his feet. It is right, according to R. Meir, who says that for each diving two washings of the hands and feet are needed; that ten times he should wash his hands and feet, as in the Mishna. But according to the rabbis, who say only once, there will be but nine? The rabbis can reply, that the last time he washed his hands and feet, was when he stripped himself of the holy garments and had to put on his week-day clothes, after the whole service.

We have learned in a Boraitha: Rabbi Jehudah said: How is it known that the high-priest has to dive five times, and wash his hands and feet ten times? Because it is written [Lev. xvi. 23]: "And Aaron shall then go into the tabernacle of the congregation, and he shall take off the linen garments, which he had put on when he went into the holy place, and he shall leave them there. And he shall wash his flesh with water in a holy place, and put on his garments, and come then forth, and offer," etc. From this we infer that between one service and the other he had to dive. So also said Rabha, with the addition: Because it is written [ibid. 4], "These are holy garments," that proves that all holy clothes are equal. This day there were five services: The daily morning offering, in garments of cloth of gold; the service of the day, in linen clothes; his ram and the people's ram, in garments of cloth of gold; the spoon and the censer, in linen clothes; the daily evening offering, in garments of cloth of gold. (For the five services, were five divings.) How is it known that for each diving two times have the hands and feet to be washed? Because it is written [ibid.]: "He shall take off his garments . . . and shall wash, . . . put on . . ." The phrase "shall wash" applies to the taking off and the putting on of the garments. From this we see only that when he takes off the linen garment, and puts on cloth of gold, he must wash himself. How do we know that when he takes off the garments of cloth of gold, and puts on the linen ones, he must wash himself? The disciples of R. Ishmael have taught: This can be inferred by a reasoning *a fortiori*. If when he puts off the linen clothes, whose atonement is not great, still he must have a bathing, how much more when he puts off the cloth of gold, whose atonement is great?

But it may be asked, Is the atonement of the linen clothes not great? Did not the high-priest enter in them the Holy of Holies? It is written [ibid. 4]: "These are holy garments, therefore shall he wash his flesh in water (and both the cloth of gold and linen garments are holy.)"

"*He made an incision.*" How much? Says Ulla: The greater part of the windpipe and the gullet. So also have said R. Johanan and Resh Lakish. Abayi ordered the services according to a tradition he had, and it agrees with that of Abbu Saul. The (first) great arrangement of wood preceded the second arrangement of wood on the southwestern corner of the altar (as will be explained in Tamid). This preceded the two measures of wood, and they preceded the removal of the ashes from the inner altar, and this preceded the trimming of the five lamps. This preceded the sprinkling of the blood of the morning daily offering, and this preceded the trimming of the two lamps; and this preceded the offering of the incense, which came before the offering of the members; this was before the meal-offering, and this was before the things baked in pans. This preceded the drink-offering, and this preceded the additional offerings (for Sabbath or festival), and these were before the spoonfuls of frankincense, that preceded the daily evening offering, as it is written [Lev. vi. 5]: "He shall burn thereon the fat of the peace-offerings." From the word *Hashlamim* (peace-offerings) can be inferred that they should complete the service of the day (this word means, also, *completion*).

The Master says: "The first great arrangement of wood preceded. The second," etc. How is it known? Because it is written [Lev. vi. 2]: "It is the burnt-offering which shall be burning upon the altar all night. And after that it is written: "And the fire of the altar shall be burning upon it." By this the other arrangement of wood is meant. How is it known that this precedes the two measures of wood? Because it is written [ibid. 5]: "The priest shall burn wood on it every morning." On it, and not on the other fire. From this we infer there is another fire. Which? That of the two measures of wood. How is it known the two measures of wood precede the clearing of the inner altar? Although in both places it is written, "every morning," yet we understand that preparation for service precedes the mere removal of ashes. Whence do we deduce that this precedes the trimming of the five lamps? Says Abayi: I have it so by tradition, but I know no reason. Rabba says:

I know it is according to Resh Lakish, who says when one meets an opportunity to perform a meritorious act, one should not pass by it. When the priest enters, he meets first the altar, then the lamps. And what is the reason that this precedes the blood of the daily morning offering? And this precedes the two lamps? Says Abayi: Since it is written of the measures of wood "every morning" twice, (in Hebrew) superfluously, let it apply to the five lamps and to the two lamps, the one to precede the blood of the morning sacrifice, the other to follow it. How do we know that these two lamps precede the incense? Because it is written [Exod. xxx. 7]: "When he dresseth the lamps, (then) shall he burn it." How is it known that the incense comes before the members? Of the incense [ibid.] it is said "*every* morning," but of the daily sacrifice only "morning." [The first precedes the second.] Why do the members come before the meal-offering? Because we have learned in a Boraitha as follows: Whence do we deduce, that before the daily morning offering has been sacrificed nothing else shall be offered? Because it is written [Lev. vi. 5]: "He shall lay in order upon it the burnt-offering." In addition to this Boraitha, said Rabba: By the word *the* burnt-offering is meant the first burnt-offering; that is, the daily offering. How is it known that the meal-offering precedes the things made in pans? Because they are mentioned [Lev. xxiii. 37] in this order. How is it known the things made in pans precede the drink-offering? Because they are also a meal-offering, and added to the daily sacrifice [Num. xxviii. 5]. And why do these precede the additional sacrifice? Because in that verse [Lev. xxiii. 37] they are mentioned in this order. And why do these precede the spoonfuls of frankincense? Did we not learn in a Boraitha that they succeed the frankincense? About this, Tanaim differ. (Pesachim, p 107.) Said Abayi: It seems to me the Halakha prevails, that the additional sacrifices ought to precede the frankincense. Because we have seen that of which it is said "every morning" precedes that of which it is said "morning." [See Lev. xxiv. 7 and 8.] Here of the additional sacrifice is said "every and each *day*," hence—not *morning*.

"*The morning incense was offered between the blood and members.*" According to whom is this? If according to the rabbis, it should have been between the blood and lamps; and if according to Abbu Saul, it should have been between the lamps and the members? The whole Mishna is according to the rabbis,

but about the order the arranger of the Mishna has not been particular.

"*That of evening, between the members and drink-offerings.*" How do we know this? Because it is written [Num. xxviii. 8]: "As the meat-offering of the morning, and the drink-offering thereof, shalt thou prepare it." As in the case of the meat-offering the incense precedes the drink-offering, so in the evening the incense shall precede the drink-offering.

The rabbis taught: It is written [ibid. 7]: "The drink-offering thereof shall be the fourth part of a hin." "Thereof," of the evening sacrifice [ibid. 4]. We deduce concerning the morning sacrifice from the evening sacrifice. Rabbi, however, said: On the contrary, we deduce concerning the evening offering from the morning offering. It is right, according to the rabbis, since that of the evening is mentioned last. But what is Rabbi's reason? Said Rabba b. Ulla: Because it is written [ibid. 7], "for the one sheep," and [ibid. 4] "the one sheep," hence in both cases the same morning offering is meant.

"*If he was an aged or delicate high-priest.*" We have learned in a Boraitha: R. Jehudah said: Iron plates were heated on the eve of the Day of Atonement, and were on the Day of Atonement plunged into the cold water, to warm it for the high-priest. But the iron gets tempered thereby (which is forbidden as a work)? R. Bibi answers: The iron had not been heated so much as to become tempered. Abayi, however, says: It does not matter, since it is not intentional, and therefore not forbidden.

MISHNA: They brought him to Beth-Haparva, which was in the sanctuary; a linen screen was spread out between him and the people; he washed his hands and feet and stripped himself. R. Meir says: He undressed, and washed his hands and feet. He went down and dived, came up and dried himself, white garments were brought to him, which he put on, and he washed his hands and feet.

In the morning, he put on linen of Pelusium, costing twelve Minas. In the evening, Hindoo linen, of 800 Zuz [8 Minas]. This is according to R. Meir. The sages say, in the morning he put on garments worth 18 Minas, in the evening of 12 Minas—together amounting to 30 Minas. This from public money [*another version*, taken from the holy funds?]; but if he chooses, he can have them more costly out of his private means.

GEMARA: Why is it called Parva? Said R. Joseph: Because it was built by one Parva, one of the magi.

"*In the morning he put on linen of Pelusium.*" Wherefore does he tell us the price? He comes to teach us that linen less costly were invalid. Let us see: All agree that what he put on in the morning was more costly than that in the evening. Whence is this deduced? Said R. Huna, the son of R. Ilai: Because [Lev. xvi. 4] linen is mentioned four times in that verse; in reference to the morning garments, they are to be of the best linen.

R. Huna b. Jehudah, according to others R. Samuel b. Jehudah, taught: After the service of the congregation was finished, if the high-priest possessed a linen coat made by his mother at her own cost, he might put it on, and perform the services appertaining to an individual (not congregation: carry out the spoons from the Holy of Holies, and the censer; the first had been used for frankincense, the second for incense), provided that when he puts it on, he shall bestow it on the congregation. It was said of R. Ishmael b. Phabi: His mother had made him a linen coat worth 100 Minas; he used to put it on, perform the services of an individual, and bestow it (in his mind) on the congregation. Of R. Eliezer b. Harsum it was said: His mother had made him a linen coat worth 20,000 Minas. His brethren the priests did not permit him to put it on, as in it he seemed to be naked (so delicate was its texture). How could this be, if it is said to have been thick, the threads six times twisted? Said Abayi: As wine is seen through a glass, however thick it be.

The rabbis taught: In the world to come, when a poor man, a rich man, and a wicked man come before the judgment, when the poor is asked, "Why hast thou not studied the Law?" if he answers: "I have been poor, I had to earn my bread, and had no time," they answer him: "Wast thou poorer than Hillel the Elder?" Of Hillel the Elder it was said: Every day he went to work, and earned a Tarpeik (a *Stater* coin of 4 Dinars). Half he gave away to the porter of the college, to let him in, and on the other half he and his family lived. Once it happened he did not earn anything, the porter did not let him in. He ascended the roof where there was an opening, and listened to the words of the living God, from the mouth of Shemaia and Abtalian. It was said: That day was a Friday, and in the season of Tebeth (winter), and he was besnowed. When it dawned, Shemaia said to Abtalian: "Every day it becomes light at this time, and now it is dark. Is it such a cloudy day?" They raised their eyes, and saw the figure of a man. When they went

up, they found on him a layer of snow three ells thick. They took him down, washed him, dressed him with oil, placed him before a fire, and they said: "Such a man deserves that Sabbath should be violated for his sake (by the making of fire)."

When the rich man is asked: "Why hast thou not studied the Law?" if he answers: "Because I was a rich man, and had many estates, and had no time to study," they answer him: "Wast thou richer than R. Elazar b. Harsum?" Of him it was said: His father had bequeathed to him a thousand towns on land, and a thousand ships on the sea, and he himself used to take a bag of flour on his shoulder, and wander from town to town and land to land to study the Law. Once his own slaves found him, and put him to hard labor. He said to them: "I pray you, let me go to study the Torah." They replied: "We swear, by R. Elazar b. Harsum's life, we will not let you go before you work." Thus, as long as he lived, he did not attend to his affairs, but studied all day and all night the Law.

When the wicked man is asked: "Why hast thou not studied the Law?" if he replies: "I was handsome, and was absorbed by my sins," they answer him: "Wast thou more handsome than Joseph?" It was said of Joseph the Righteous, that every day Potiphar's wife used to try to seduce him by her talk. The clothes she used to put on in the morning (to attract his attention) she did not put on in the evening, and *vice versa*, and her refrain was always: "Listen to me; do what I ask of you." He answered: "No." She said: "I will imprison you." He replied [Ps. cxlvi. 7]: "The Lord looseneth the prisoners." She then said: "I will bend your loftiness." His reply was [ibid.]: "The Lord raiseth up those who are bowed down." She said to him: "I will blind you." He answered [ibid. 8]: "The Lord causeth the blind to see." She gave him a thousand talents of silver. He was averse to her, or "to lie with her, or to be with her" [Gen. xxxix. 10]. "To lie with her" in this world, "to be with her" in the world to come.

From this we see that Hillel makes the poor man guilty, R. Eliezer b. Harsum the rich, and Joseph the wicked.

MISHNA: He went to his bullock, which stood between the porch and the altar, his head due south, but his face due west. The high-priest stood on the east, his face due west. He put his two hands on him and confessed himself in the following terms: I beseech thee, Jehovah, I have committed iniquities, have transgressed, and have sinned before thee, I and my house.

I beseech thee, Jehovah, forgive, pray, the iniquities, the transgressions, and the sins, which I have committed, transgressed, and sinned before thee, I and my house, as it is written in the Torah of Moses thy servant, " For on that day shall he make an atonement for you," etc. [Lev. xvi. 30]. They respond after him: " Blessed be the name of His kingdom's glory for ever!"

GEMARA: " *His head due south, but his face due west.*" If his head was turned to the south, how could his face be turned to the west? Said Rabh: His head was turned aside. Why? Says Abayi: It was apprehended, lest he should excrete. The rabbis taught: How were the hands imposed on his head? The sacrifice stood in the north, his face turned westward; he who imposed his hand stood in the east, his face westward; he placed both his hands between the two horns, provided that there was nothing between his hands and the head of the sacrifice; then he confessed himself. On the sin-offering he confessed the sins for which a sin-offering has to be brought; on a trespass-offering, the sins corresponding to it; and on a burnt-offering, sins of preventing the poor to gather, not forgetting for the poor, and not leaving corners [Lev. xix. 9]. So said R. Joel the Galilean.

The rabbis taught: How did the high-priest confess? He said: " I have committed iniquities, transgressed, and sinned." So he confessed over the goat [Lev. xvi. 21]: " And confess over him all the iniquities of the children of Israel, and all their transgressions, in all their sins." (The order of the terms is the same.) So also by Moses is it written [Ex. xxxiv. 7], " Forgiving iniquity and transgression and sin." So says R. Meir. The sages, however, say: By iniquities are meant intentional transgressions, for it is written [Num. xv. 31]: " That person shall be cut off, his iniquity is upon him." By transgressions are meant rebellion. As it is written [2 Kings iii. 7]: " The King of Moab hath rebelled." (The term in Hebrew is the same.) By sin is meant unintentional wrong, as is written [Lev. iv. 2]: " If any person sin through ignorance." Now, is it possible that after he has confessed the intentional and rebellious sins, he will confess the errors? Therefore we must say that he used to say differently: " I have sinned, committed iniquities, and transgressed, I and my house." And so it is written by David [Ps. cvi. 6]: " We have sinned together with our fathers, we have committed iniquity, we have done wickedly. . . ." And so also Solomon says [1 Kings viii. 47]: " We have sinned, we have committed iniquity, we have acted wickedly." So also

Daniel [Dan. ix. 5]: "We have sinned, and have committed iniquity, and have done wickedly, and have rebelled." Why, then, is it said by Moses: "Forgiving iniquity, and transgression, and sin." Moses said to the Holy One, blessed be He: "Lord of the Universe, when the children of Israel will sin before thee, and then repent, mayest thou consider their intentional sins as sins done through ignorance." Said Rabbi b. Samuel in the name of Rabh: The Halakha prevails according to the sages. Is not this self-evident? R. Meir is an individual, the sages are a majority, and we know that the decree of an individual is prevailed over by that of the majority? Lest one say, In this case the Halakha ought to prevail according to R. Meir, as he takes in his support what Moses said. He comes to teach us that here also the Halakha is according to the majority.

One of the scholars prayed for the people in the presence of Rabba, and followed R. Meir's decree. Said Rabba to him: Thou departest from the rabbis, and doest as R. Meir says. He replied: I hold with R. Meir, for it is written in the Bible that Moses said so.

"*They respond after him.*" We have learned in a Boraitha: Rabbi said: It is written [Deut. xxxii. 3]: "When I call on the name of the Lord, ascribe ye greatness unto our God." So said Moses to Israel: "When I mention the name of the Holy One, blessed be He, ye shall add greatness to it." Hananiah the son of R. Joshua's brother said: From the following verse [Prov. x. 7]: "The memory of the just is blessed." That means, the prophet says to Israel: "When I mention the Just One of the Worlds, ye shall add a blessing."

MISHNA: He came to the eastern part of the forecourt, to the north of the altar, the Segan of the high-priest on his right, and the head of the family ministering during the week [Rosh-Beth-Ab] on his left. There were two he-goats; and a box was there wherein were two lots. Of box-tree they were. [The high-priest] Ben Gamla made them of gold, for which his memory was praised.

[The high-priest] Ben Katin made twelve cocks to the laver, which had had only two. He also made a machine to the laver [to take it down into a well at will], that its water should not become unfit by being kept over night [in free air]. The king Monobaz made all the handles of the utensils used on the Day of Atonement—of gold. Helen, his mother, made a golden can-

delabrum over the temple-gate. She likewise made a tablet of gold, whereon was inscribed the section about a woman who goes aside [Num. v. 12]. Miracles happened to the gates which Nicanor brought. Therefore all these persons' memory was praised.

GEMARA: "*The Segan on his right.*" R. Jehudah said: One who goes on the right of his Master is a boor. An objection was raised from this Mishna: It is written that the Segan was on his right. And we have learned in a Boraitha, that when three walk, the Master ought to be in the middle, the greater of two on his right, and the other on his left. And so we find that of the three angels that came to Abraham, Michael was in the middle, Gabriel on his right, and Raphael on his left. (How, then, is he a boor ?)

R. Samuel b. Papa explained before R. Adda, that it is meant, he should walk on his right, but a little behind, and not side by side. Did we not learn in a Boraitha that he who precedes the Master is rude, and he who walks behind his Master is too ostentatiously humble ? He should fall a little back—not precede, and not follow.

"*And a box was there,*" etc. The rabbis taught: It is written [Lev. xxi. 8]: "And Aaron shall put lots upon the two goats." Hence, lots of any kind. Should we assume, that he must place two on each goat ? Therefore it is written: "One lot for the Lord, one lot for Azazel." Therefore one ought to be for the Lord, and one for Azazel. Should we assume that he should place both lots on one goat, and then draw them and then place them on the other goat, and draw again ? Therefore it is written, "one lot." What, then, means the word "lots" ? This signifies that they should be equal: one should not be made of gold, the other of silver; one large, the other small. It is said in the Boraitha, lots of all kinds. This is self-evident ? It must teach us this because of another Boraitha: Because the plate on the high-priest's brow, on which the name of the Lord was written, was of gold, one might think this lot must also be so. Therefore it is written, "one lot," twice, to teach that they may be of many kinds, of olive-tree wood, of nut-tree wood, of box-tree wood.

"*Ben Katin made twelve cocks,*" etc. We have so learned in a Boraitha, to the end that the twelve priests engaged in the service of the morning daily offering might wash their hands and feet at the same time. We have learned again in a Boraitha: In

the morning, when the laver was full, the high-priest washed his hands from the upper cock; but in the evening when he departed, when it was not full, he did it from the lower cock.

"*He also made a machine.*" What machine? Says Abayi: He made a sort of wheel, which brought it down into the well.

"*Helen his mother,*" etc. We have learned in a Boraitha: When the sun rose, from the golden candelabrum emanated rays, and all knew it was time to read Shema.

"*Miracles happened to the gates,*" etc. The rabbis taught: What miracles have happened to his gates? It was said, when Nicanor had gone to Alexandria, and was returning with the gates, the waves of the sea threatened to drown him; they took one of the gates and cast it into the sea. The sea was not appeased. They desired to cast the second gate overboard also. He took it on his body, and said: "Fling me together with it." Thereupon the sea became quiet. He grieved for the other gate. When he came to the coast at Accho, the gate appeared by the ship. According to others, some beast of the sea had swallowed the gate, and afterward spit it out. Therefore all gates of the Temple were gilt, except Nicanor's, because miracles had happened to them, and they were therefore left as they were. Others say, because their bronze was brilliant. R. Eliezer b. Jacob says: It was polished bronze, and glittered like gold.

MISHNA: And the memories of the following were mentioned with blame; those of the house of Garmo, they were unwilling to teach the art of making the showbread; those of the house of Abtinas, who did not want to teach the art of preparing the incense; Hogros b. Levi, who knew something in music which he was unwilling to instruct others in; Ben Kamtsar did not want to teach the art of writing. Of the first it is said: "The memory of the just is blessed" [Prov. x. 7]; but of the rest is said: "But the name of the wicked shall rot."

GEMARA: The rabbis taught: "The house of Garmo were skilled in making the showbread, and did not want to teach it to others. The sages sent for workers from Alexandria, and they could bake as well, but could not take it out from the oven [it got broken]. They heated the oven from outside, and baked it there, and took it from there, while the house of Garmo heated it inside and baked it inside (and removed it from there). Also the showbread of the Alexandrian bakers used to become mouldy, and that of the former never became so. When the sages heard this, they said: All which the Lord hath created, He created

only for His glory. As it is written [Is. xliii. 7]: "Every one that is called by my name, I have created for my glory." So the Beth Garmo had to be invited again to resume their post. The sages sent for them, they did not come: so their wages had to be doubled. They used to receive 12 Minas daily, and henceforth 24. R. Jehudah says: They had received 24, and thenceforth 48. Then the sages inquired of them: "Why are you unwilling to instruct others?" They replied: "Our family knows by tradition that this Temple will one day fall, and then, if we will have taught it to an improper person, he may go and serve thereby other idols." And for this thing their memory was praised: their children were never seen to use bread of pure flour, that it should not be suspected they took it from the flour for the showbread. They did it, to fulfil what is written [Num. xxxii. 22]: "And ye be thus guiltless before the Lord, and before Israel."

"*Those of the house of Abtinas,*" etc. The rabbis taught: The house of Abtinas were skilled in the preparing of incense, and were unwilling to teach it. The sages sent for workers from Alexandria. These could prepare the incense, but could not make it so that the smoke should not bend. The smoke of the incense prepared by the house of Abtinas rose straight, like a rod, and the smoke of the others' incense bent hither and thither. When the sages heard of this, they said, etc. [the same as previously; the reason they gave for not teaching was also the same]. For the following thing they were mentioned with praise: Never a bride of their house went out perfumed, and even when one of their house married a woman of another family, it was on the condition that she should not be perfumed, that it be not said: "They take it from the incense." To fulfil what is written, etc. [as before].

We have learned in a Boraitha: R. Ishmael said: I once was in the road, and met one of their grandchildren. I said to him: Your ancestors wished to increase their own glory, and diminish that of the Lord; now the Lord's glory persists, and yours has ended in nothing. R. Aqiba said: R. Ishmael b. Luga has related to me: I and one of their grandchildren once went out into the field to gather grass. I observed that he wept and rejoiced. I inquired of him: Why weepest thou? He replied: I recall the honor my ancestors once had enjoyed, and weep. And why did he rejoice? "Because I feel sure that the Holy One, blessed be He, will restore it to us." He asked him: Why hast thou

been reminded of it just at present? He said: Because I see the grass we used to put in to make the smoke straight. He said to him: Point it out to me. He replied: We are under an oath not to show it to anyone. Said R. Johanan b. Nuri: It happened once I met an old man, who had a scroll on which was a list of the names of the spices composing the incense. I asked him: Whence art thou? He replied: I am descended of the house of Abtinas. "And what do you hold in your hand?" He said: The scrolls of the spices. I said to him: Show it to me. He said: As long as our family was in life, they did not show it to any man. But now, when they have all died, and the Temple itself no longer exists, I can give it to thee, but be cautious with it. When I related all this to R. Aqiba, he said: From this time one need not blame them any longer. To this said Ben Azai: "By thy name thou shalt be called and to thy position thou shalt be restored, and thine thou wilt always receive, as so it is recorded Above." It is a rule, one man cannot touch what is destined for another [as they were recalled and paid double wages].

"*Hogros b. Levi,*" etc. We have learned in a Boraitha: When he had to render his voice melodious, he placed his thumb in his mouth, and the index in his mustache. When all his fellow-priests heard his voice, they bent to the ground (from ecstasy).

The rabbis taught: Ben Kamtsar did not want to teach the art of writing. It was said of him: He used to take four quills between his four fingers, and when he had to write a word of four letters, he wrote it at once. (Jehovah's name is of four letters.) When they inquired of him: Why dost thou not teach it to others? he found no answer. Therefore of the first it is said: "The memory of the just is blessed"; and of Ben Kamtsar and his tribe it is said: "The name of the wicked shall rot." What is meant by "rot"? How can a name "rot"? Said R. Elazar: Their name shall contract such a rottenness that children shall not be named after them.

Rabbina said to one of the scholars who arranged for him the Agada: How do we know that the rabbis have said: "The name of the just is blessed"? He replied: Why rabbis—it is in the Bible, in the Proverbs? He said: Nay. How is it known from the Pentateuch? It is known from the following verse [Gen. xviii. 17]: "Shall I hide from Abraham what I am about to do?" And the next verse is: "Abraham shall surely become a

great nation." And how is it known from the Pentateuch that the name of the wicked shall rot? Because it is written [ibid. xiii. 12]: "And pitched his tents close to Sodom." And the next: "The men of Sodom were wicked and sinners." R. Elazar said: From the blessings awarded to the righteous, one can infer what curses are bestowed on the wicked; as it is written [ibid. xviii. 19]: "For I know him, that he will command," etc. And the next verse is: "The Lord said, Because the cry against Sodom and Gomorrah is great." And from the curses given to the wicked the blessings reserved for the righteous can be inferred, as it is written [ibid. xiii. 13]: "The men of Sodom were wicked and sinners." And the next verse says: "And the Lord said unto Abram, Lift up now thy eyes and look," etc.

R. Elazar says again: Even for one just man is a whole world created. As it is written [Gen. i. 4]: "And God saw the light, that it was good." And good is only a just man, since it is written [Is. iii. 10]: "Say to the just, that he is good."* R. Elazar says again: Whoever forgets something of his study, causes exile to his children, as is written [Hosea iv. 6]: "As thou hast forgotten the law of thy God, so will I myself also forget thy children." R. Abahu says: He is degraded from his high station, as it is written [ibid.]: "Because thou hast rejected knowledge, so will I also reject thee from officiating before me."

R. Hiya b. Abba said in the name of R. Johanan: A righteous man does not depart from the world, till another righteous man like him has been created, as it is written [Eccles. i. 5]: "The sun rises, the sun goes down." Before the sun of Eli had been extinguished, the sun of Samuel of Ramah already shone. The same said again: The Holy One, blessed be He, perceived that righteous men are few: He planted them in every generation, as it is written [1 Sam. ii. 8]: "For the Lord's are the pillars of the earth, on which He hath set the world." And the same said once more, on the same authority: Even when there is only one just man in the world, the world can exist through his merit, as it is written [Prov. x. 25]: "The righteous is the foundation of the world." R. Hiya says, on his own authority, as it is written in a different verse [1 Sam. ii. 9]: "He ever guardeth the feet of his pious ones." But they are spoken of in the plural? Says R. Na'hman, it is read in the plural, but it is written in the singular. R. Hiya b. Abba says again, in the

* The Talmud translates it thus, literally.

name of R. Johanan: When a man has lived the greatest part of his life without having sinned, he will sin no more, for they will guard him Above, and this he infers from the above passage. The disciples of R. Shila have said: When a man has had occasion to commit a sin once and twice, and he escapes committing it, he will be guarded Above from sinning. They infer it from the same verse. Resh Lakish said: It is written [Prov. iii. 34]: "The mockers He will mock, but to the modest He will give grace." From this we can infer: If one wishes to defile himself (to sin) the door is opened to him; but he who comes to purify himself, he is assisted. The disciples of R. Ishmael have told a parable in reference to this: When one sells both naphtha and perfumes, when one arrives to buy naphtha, he saith to him: "Measure the quantity you need"; but if one arrives to buy perfumes, he says: "Wait, we will both measure it, and contract the odor." The same disciples taught: A sin stops up a man's heart, as it is written [Lev. xi. 43]: "And ye shall not make yourselves unclean with them, that ye should be defiled thereby." Do not read ונטמאתם but ונטמטם (stop up).

The rabbis taught: This verse signifies that when a man defiles himself a little here below, Above he is defiled much; and if he defiles himself in this world, he is defiled in the world to come. And it is written [ibid. 44]: "Ye shall sanctify yourselves, and be holy." When a man sanctifies himself a little here below, he is sanctified much Above, and when he sanctifies himself in this world, he is sanctified in the world to come.

CHAPTER IV.

REGULATIONS CONCERNING THE TWO GOATS OF THE DAY OF ATONEMENT: HOW THEY WERE SLAUGHTERED, SENT AWAY, ETC.

MISHNA: He shook the box, and took out two lots. On one is written, "to Jehovah"; on the other is written, "to Azazel." The Segan is at his right, and the head of the family [see above] on his left. If that of Jehovah was taken up by his right hand, the Segan says to him, "My lord the high-priest, raise thy right hand." If that of Jehovah was taken up by his left hand, the head of the family addresses him: "My lord the high-priest, raise thy left hand." He placed them [the lots] on the two he-goats, and uttered: "To Jehovah a sin-offering." R. Ishmael says: It was not necessary for him to say "sin-offering," but "to Jehovah" sufficed. They responded: "Blessed be the name of His kingdom's glory for ever."

GEMARA: Why had he to shake the box? That he should not have intentionally taken that for Jehovah in his right hand (as it was a good omen if he took it up by chance). Rabh said: The box was of wood, and was not sacred, and could contain only the two palms of the hand. Rabbina opposed: It is right that it had only capacity for the two palms, that he might not intentionally take the lot for the Lord; but if it was profane, he should have sanctified it? The answer is: If he had sanctified it, it would have been a wooden sacred vessel, and in the Temple wooden sacred vessels were not used. Let them have made it of silver or gold? Because the Torah wished to spare the wealth of Israel. The Mishna is at variance with the Tana of the following Boraitha: R. Jehudah says in the name of R. Eliezer: The Segan and the high-priest both placed their hands in the box. When that for Jehovah was picked up by the high-priest, the Segan said to him: "My lord the high-priest, raise thy right hand." But if it was picked up by the Segan, the chief of the family said to him: "Speak thy words." Why not the Segan himself? The lot came into the hand of the Segan, and

not of the high-priest; therefore the spirits of the latter would have been depressed. On what point do they differ? One thinks, the right hand of the Segan is better than the left hand of the high-priest, and therefore both should put into the box their right hand; whereas the other thinks that the left hand of the high-priest is as good as the right hand of the Segan, and therefore he ought to place both his hands in the box. And who is the Tana who differs from R. Jehudah? That is R. Hanina, the Segan of the priests. As we have learned in the following Boraitha: R. Hanina the Segan of the priests said: Why did the Segan ever walk on the right of the high-priest? In case the high-priest became unfit for service, the Segan should enter at once to do the service.

The rabbis taught: In the time of the forty years during which Simeon the Upright was high-priest, the lot for Jehovah always came into the high-priest's right hand, but thereafter it sometimes fell into his right, sometimes into his left hand. And the tongue of crimson wool, during the time of Simeon the Upright, always became white. But after Simeon the Upright, sometimes it became white, sometimes it remained red. In Simeon the Upright's time the western light ever burned, but after him it sometimes burned and sometimes went out. The fire of the altar ever waxed in strength, and except the two measures of wood prescribed they had not to add any wood, in Simeon the Upright's time; but after him, sometimes the fire persisted and sometimes wood had to be added. In his time a blessing was sent into the Omer, the two loaves of bread, and the show-bread, and every priest who received only the size of an olive became satiated, and some was left over; but after him, these things were cursed, and every priest got only the size of a bean. And the delicate priests refused to take it altogether, but the voracious ones accepted and consumed. It once happened, one took his own share and his fellow's: he was nicknamed "robber" till his death.

The rabbis taught: The year when Simeon the Upright had to die, he told the sages: "Children, know ye that this year I am going to die." They asked him: "How dost thou know?" He said: "Every year when I entered and left the Holy of Holies, I was accompanied by one old man, dressed in white and enveloped in white; but this year it was an old man attired in black and in a black turban, and he entered with me but did not go out with me." And after the festivals, he got sick, and died.

And thenceforth priests ceased to bless Israel with the name of Jehovah, but used "Adonai" (the Lord).

The rabbis taught: Forty years before the Temple was destroyed, the lot never came into the right hand, the red wool did not become white, the western light did not burn, and the gates of the Temple opened of themselves, till the time that R. Johanan b. Zakkai rebuked them, saying: "Temple, Temple, why alarmest thou us? We know that thou art destined to be destroyed. For of thee hath prophesied Zechariah ben Iddo [Zech. xi. 1]: 'Open thy doors, O Lebanon, and the fire shall eat thy cedars.'"

"*He placed them on the two he-goats.*" The rabbis taught: Six times the high-priest pronounced God's name, as it is written (Jehovah), during the Day of Atonement: three times in the first confession and three times in the second confession, and the seventh time when he had drawn the lot. It happened, when the high-priest said, "I beseech thee, Jehovah," his voice was heard in Jericho, ten *Parsas* distant from Jerusalem, according to Rabba bar bar Hana. And the sound of opening the Temple gates was heard at the distance of eight legal limits of Sabbath (16,000 ells). The goats that were in Jericho used to sneeze at the incense offered at Jerusalem. A bride in Jerusalem had never to perfume herself, as the odor of the incense imbued them all with aromatic smells. R. Joel b. Diglai said: My father had goats on the mountains of Michmar. They sneezed at the incense. R. Hiya b. Abbin said in the name of R. Joshua b. Kar'ha: A certain old man has related to me, that since the time when he was walking in Shiloh, he still felt the smell of its formerly offered incense.

R. Janai said: To take out the lots from the box was obligatory, but to place them on the goats was not so. R. Johanan says: Even taking them out was not obligatory. An objection was made from the following Boraitha: The disciples asked R. Aqiba, If the lot came into his left hand, might he not put it into his right hand? He replied: Do not give the Sadducees opportunity to rebel (by declaring it unbiblical). Now here the reason is only that the Sadducees should not rebel; but otherwise, we would say, he may transfer it from one hand to the other. How, then, can R. Janai say that it was obligatory? Then the lots would not be changeable. Said Rabba: They mean to say, not that he may transfer the lot in his left hand to his right hand, but that when the lot has been placed on the

goat for Azazel, whether he may transfer him to his right, and design him for the Lord? The answer to this was: Although one may use a thing appointed to a less holy purpose for a more holy, yet the Sadducees will rebel.

MISHNA: He tied a tongue of crimson wool to the head of the goat that was to be sent away [the scapegoat], and placed him opposite to the gate through which he was to be transferred; and the one to be slaughtered, opposite to the place of its slaughtering. He went to his bull a second time, putting his hands on him, and confessing in these terms: "I beseech thee, Jehovah, I have committed iniquities, transgressed, and sinned before Thee, I and my house, and the sons of Aaron, Thy holy people: I beseech Thee, Jehovah, forgive the iniquities, transgressions, and sins which I have committed, transgressed, and sinned, I and my house, and the sons of Aaron, Thy holy people, as it is written in the Torah of Moses Thy servant: 'For on that day shall he make atonement for you, to cleanse you from all your sins, that ye may be pure before Jehovah.'" They respond after him: "Blessed is the name of His kingdom's glory forever."

GEMARA: The schoolmen propounded a question: The Mishna states: He was placed opposite to the gate, and the one to be slaughtered opposite to the slaughtering-place. Were they to be tied in their places, or only placed there? Come and hear! R. Joseph taught: He tied a tongue of crimson wool to the head of the goat that was to be sent away, and placed him opposite to the gate, and the one to be slaughtered opposite to the slaughtering-place, for the purpose that they should not be confounded with one another, as with other goats. Now, if the Mishna means they were tied there, it is right; but if only placed, this can only prevent their being confounded with each other, as the one has the tongue of red wool tied to it, but with other goats the other may be confounded? It is meant, then, that they should be tied in their places.

R. Itz'hak said: I have heard a Halakha about two tongues of wool, one for the red cow and the other for the scapegoat, that one must be of a prescribed quantity and the other need not, and I do not know which it is. Said R. Joseph: Let us see. The wool for the goat which was sent away must be divided into two parts: one part tied to its horns, and one to the rack; therefore it seems that it must be of a prescribed quantity. But the wool for the red cow, which need not be divided, need be of no prescribed quantity. Rami b. Hama opposed: Even that for

the red cow must have a certain weight (as will be explained). Rabha answered him: Concerning the weight, the opinions of the Tanaim are different; consequently, no prescribed quantity is needed. When R. Dimi came from Palestine, he said in the name of R. Johanan: I have heard of three tongues of wool: one for the red cow, one for the scapegoat, and one for lepers. I have heard, one must be of the weight of 10 Zuz, one must have the weight of 2 Selas, and one of 1 Shekel, but I cannot explain which. When Rabbin came from Palestine, he explained this in the words of R. Jonathan: That for the red cow must weigh 10 Zuz, for the scapegoat 2 Selas, and for lepers 1 Shekel. (For the red cow, which must have a certain weight, it is 10 Zuz; that of the goat, which must be divided, 2 Selas; and the leper's, which need be neither, it is a Shekel.)

R. Itz'hak said: I have heard about the two slaughterings, of the red cow and of the high-priest's bull, one, if done by a layman, is valid, and the other is, in such a case, invalid; but I cannot explain which it is. It was taught: Concerning the slaughtering of the red cow and the high-priest's bull, Rabh and Samuel differed. One said, if the red cow was slaughtered by a layman, it is valid, and the bull, invalid; and the other says the reverse.

It may be ascertained that Rabh is the one who says that the red cow slaughtered by a layman is invalid, because (when Rabh heard) R. Zerah said that the red cow slaughtered by a layman is invalid, Rabh said: The reason is, that in connection with the red cow is mentioned Elazar (a priest) and "statute."

It was taught: Concerning the slaughtering of the red cow by a layman, R. Ammi said: It is valid; R. Itz'hak of Naph'ha said: It is invalid; Ulla said: It is valid; and others say: It is invalid. R. Joshua b. Abba objected to the statement that it is valid, and wanted to support Rabh from the following Boraitha: It is certain to us that the sprinkling of the water of the red cow is invalid, if a woman has done it instead of a man, or when it was not sprinkled in the daytime. But whence do we deduce further that the slaughtering of it, and receiving of the blood, and sprinkling of the blood, and burning it, and the putting in of the cedar-wood, hyssop, scarlet string, is invalid in such cases? Therefore it is written, "The law."

Shall we assume that to them shall be added the gathering of the ashes, and the drawing of the water, and the *sanctification?* Therefore it is written: "*This*" is the statute [Num. xix. 2].

But what is the reason of including those, and excluding these? Because we find here an extension and a limitation, we will say that we may deduce all the ceremonies from the sprinkling of the water. As the sprinkling of the water must be done by a male, not by a female, and is valid only in the daytime, we may add to it the slaughtering, the receiving and sprinkling of the blood, the burning, putting in of cedar-wood, hyssop, a scarlet string; as it is certain to us that all these things are invalid when done by a female, so we conclude it is valid only in the daytime; and we will exclude the gathering of the ashes, the drawing of the water, and the *sanctification*, as they may be done by a female, so we will conclude they may be done also in the night-time. What is the objection? If you will say: "Because it is prohibited to a female, it is also prohibited to a layman," you can infer from the sprinkling of the water, which is invalid when done by a female, but nevertheless is valid when done by a layman. Said Abayi: The objection is this, What is the reason that a female may not sprinkle it? Because it is written "Elazar," and we say Elazar, but not a woman. In the same manner, we say Elazar (*i.e.*, a priest), but not a layman. Said Ulla: If you will read carefully the whole section about the red cow, you will see that one case cannot be compared with the other. Some apparently analogous inferences are yet in reality contradictory. And there are apparently analogous inferences which are really analogous. (Therefore care must be taken in making inferences.) Said R. Assi: (It is so), for when R. Johanan and Resh Lakish learned the section of the red cow, they carried away in their heads no more than a fox does earth when it runs across a ploughed field, for some apparently analogous inferences are really so, and some not.

One Tana taught in the presence of R. Johanan: All slaughterings may be done by a layman, except that of the red cow. Said R. Johanan to him: "Go and teach it outside of the college; for we find no single kind of slaughtering invalid when done by a layman." And R. Johanan not only disregarded this Tana's teaching, but even his own Master's; for R. Johanan said in the name of R. Simeon b. Jehozadak: "The slaughtering of a red cow by a layman is invalid." But I say it is valid, because we do not find any kind of slaughtering invalid when done by a layman.

"*He went to his bull.*" Why did he not say in the first confession, "The sons of Aaron, Thy holy people," but does so in

the second? The disciples of R. Ishmael taught: So is it right according to the law, for it is better that one guiltless should atone for the sinners than that one not yet purified from sins himself should atone for other sinners. (Before the first confession, he was not atoned for himself.)

MISHNA: He slaughtered it [the bull], and received in a basin its blood, giving (presenting) it to him who stirred (mixed) it, on the fourth row of marble stones in the Temple, that it should not become congealed. He took the censer, mounted the top of the altar, and cleared the coals on either hand: taking a censerful of the inner glowing coals, then he came down again, and placed it [the censer] on the fourth row of stones in the forecourt.

Every day he scooped up with a silver censer, and emptied into a golden vessel. On this day he filled a golden censer, and also carried it in. Every day he used to scoop [the coals] up in one measuring 4 Kabs, and poured them into one of 3 Kabs; but on this day he filled one of 3 Kabs, and also carried them in it. R. Jose says: Every day he filled one of a Seah [6 Kabs], and emptied it into one of 3 Kabs; but on this day he filled one of 3 Kabs, and carried them in it.* On all days it was a heavy (massive) one, but on this day he took a light one. Every day its handle was short, on this day long; all days its gold was yellow, but on that day red. This is according to R. Mena'hem. On all days he used to offer half a Mina [50 Dinars in weight] of incense in the morning, and one half in the evening; but on this day added a handful more. Every day it was pounded finely, but on this day it was the finest [Lev. xvi. 12]. On all days priests went up on the eastern staircase [of the altar], and descended on the western. On this day the high-priest went up on the middle one, and came down on the same. R. Jehudah says: The high-priest ever mounts and descends on the middle one. All days the high-priest washed his hands from the laver, and on this day from the golden pitcher [cyathus]. R. Jehudah says: The high-priest ever washes his hands and feet from a golden pitcher. All days there were four fires [on the altar]; on that day five: this is according to R. Meir. R. Jose says:

* The reason is, because the coals must be live coals, so as to give a flame. As the top ones become somewhat dull, he drops them on the floor and only the middle ones are used. They differ, however, as to the measure of coals extinguished. According to the rabbis, no more than one quarter of the amount extinguishes, while according to R. Jose about one half extinguishes.

Every day three, and on this day four. R. Jehudah says: Every day two, on this day three.

GEMARA: The Mishna states: He gave it to one who stirred it, on the fourth row of the marble stones. Is it not written [Lev. xvi. 17]: "And there shall not be any man in the tabernacle"? Said R. Jehudah: Read not "of the Temple," but "from the Temple"—the fourth row of stones away from the Temple.

The rabbis taught: It is written: "There shall not be any man in the tabernacle." Shall we assume, that one may not be in the corridors either? Therefore it is written, "in the tabernacle" (but outside one may). All this has been said of the tabernacle in Shiloh. How is it known that it applied also to the Temple in Jerusalem? Therefore it is written [ibid.], "in the holy place." All this is said of the time when he offers the incense. How is it known that when he sprinkles the blood no man should be in the holy place either? Therefore it is written, "when he goeth in." But how is it known that no man is to be found there till he comes out? Because it is written, "until he come out." After that it is written, "shall he make an atonement for himself, and for his household, and for the whole congregation of Israel"; from this is seen that first he must atone for himself, then for his household, then for the priests, and then for Israel.

The Master says: It only applies to the time when he offers the incense. Whence is this inferred? Said Rabba, and so said also R. Itz'hak b. R. Dimi, and also R. Elazar: It is written: "He shall make an atonement for himself, for his household, and for the whole congregation of Israel." What atones for all these at once? Only the incense. But how is it known that incense atones at all? Yea, for R. Hanania has taught: How is it known that incense atones? Because it is written [Num. xvii. 12]: "And he put on the incense, and made an atonement for the people." And the disciples of R. Ishmael have taught: For what does the incense atone? Slander. Why? Slander is (quietly) done, so incense is (quietly) offered.

"*Every day he scooped up with a silver censer*," etc. What is the reason (why not a golden one)? Because the Torah has been sparing of Israel's wealth.

"*On this day he filled a golden censer*," etc. Why did he not do on this day as on all days? Because of the high-priest's weakness (from fasting).

"*One measuring four Kabs,*" etc. We have learned in a Boraitha: If one Kab of coals was spilled on the ground, he swept them into the trench. In one Boraitha we have learned one Kab, and in another, two Kabs? It is right, *one.* This is according to the rabbis, who say he emptied one of four Kabs into one of three; but this is neither according to the rabbis nor R. Jose (according to whom *three* Kabs were left over). Said R. Hisda: The Boraitha is according to R. Ishmael the son of R. Johanan b. Beroqa of the following Boraitha, who says that he carried them into the Holy of Holies only in a censer of *two* Kabs. R. Ashi says this Boraitha can be according to R. Jose, and can be explained thus: Every day he used one of a *Seah* of the desert, which is one-sixth less than a *Seah* of Jerusalem, and emptied it into one of three Jerusalem *Seahs.*

"*It was a massive one,*" etc. We have learned in a Boraitha: On all days its sides were thick, but on that day thin. Every day the handle was short, and this day long? That the high-priest should not need to make such an effort to hold it.

In another Boraitha we have learned: Every day the censer was without a bell, and on this day with a bell ("His sounds shall be heard when he goeth in into the holy place" [Exod. xxviii. 38], since he carried it in in his white garments devoid of bells), so said the son of the Segan.

"*The gold was yellow,*" etc. Said R. Hisda: Seven kinds of gold there are: Gold, and good gold, gold of Ophir, best gold [Muphaz], beaten gold [Sha'hut], pure gold [Sagur], and gold of Parvaim. Gold and good gold, as it is written [Gen. ii. 12]: "And the gold of that land is good"; gold of Ophir, which comes from Ophir; best gold, which is scintillating [1 Kings x. 18]; beaten gold, which is ductile like wire; pure gold—when this gold is exhibited all other wares are locked up; that of Parvaim is like blood of bulls in redness. R. Ashi says: There were only five, only there was gold of each kind of good and bad quality; hence "gold" and "good gold" are deducted. We have learned also in a Boraitha: All days the gold was yellow; this day it was of Parvaim, which is red like the blood of a cow.

"*Finely pounded, but this day finest.*" The rabbis taught (whence do we deduce this?): Because it is already written [Ex. xxx. 36]: "Thou shalt pound some of it fine." Why has it to be repeated, "finely pounded"? That means, on this day it must be finest.

"*Washed his hands from the laver, on this day from the golden pitcher.*" Why so? For the honor of the high-priest.

"*All days there were four fires,*" etc. The rabbis taught: All days were two, this day three; namely, one, the ordinary large fire, the second for the incense, one for this special day (for the extra incense of the Holy of Holies). So says R. Jehudah. R. Jose says: All days were three, this day four; namely, those enumerated by R. Jehudah, and one to keep the fire perpetual, as it is written: "A perpetual fire shall be burning upon the altar, it shall not go out" [Lev. vi. 6], and one specially for this day. Rabbi says: "On all days four, this day five." The four above mentioned, and one for the unconsumed sacrifices which had not yet been burned in the evening.

Now, we see that all agree that this day a special fire was made. Whence do they deduce this? From the expression, "and the fire" [ibid. 5]. And even he who does not deduce it from the "*and*," deduces it from "*and the*." What? As we have learned in the following Boraitha: It is written, "a perpetual fire, it shall not go out." This is to teach that the second fire shall be on the outer altar. But how do we know there had to be fires for the censer and lamps? Therefore it is written, "perpetual fire shall be burning on the altar, it shall not be extinguished." This signifies, the perpetual fire of the lamps which, I have taught you, shall be taken only from the outer altar. From this we know that on the altar must be kept fire for the lamps, but whence do we deduce that fire for the incense must be kept also? Therefore it is written [Lev. xvi. 12]: "He shall take a censer full of burning coals of fire from off the altar, from before the Lord." When do we find an altar which was partly before the Lord, and partly away *from* the Lord? We must say that was the outer altar, which was in part outside in the forecourt.

R. Elazar said in the name of Bar Qapara: R. Meir said, if members of the burnt-offering were left from the day before, he made a separate fire, and had them consumed, even on Sabbath. What does he come to teach us? We have learned in the Mishna that there were four fires? Said R. Abhin: He informs us, that even the members of a burnt-offering which had become invalid, were burnt by a separate fire, provided that they had been already attacked by the fire of the day before, but not those not touched by the fire. This we have also learned in the Mishna; namely, this day five? Says R. A'ha b. Jacob: He had to teach this to

us. We might think all this applies to a Day of Atonement which falls on a Sunday, as we had learned somewhere else, that the fat left over from Sabbath should be burnt on the Day of Atonement next to it; but we might think, if it fell on other days of the week he had not to do so. Therefore he tells us.

Says Rabba: Who is this man, that hears not what he speaks? In the Mishna it is said: "Every day." So it is all days of the week. The objection remains.

It was taught: If one extinguishes the fire of the censer, and of the lamps, Abayi says he is culpable. Rabba says: He is guiltless. If he has taken it from the altar to light it and has dropped it on the ground, and it is extinguished, all agree, he is not culpable; but if he took it from off the altar, and extinguished it there, Abayi says he is culpable, since it is the fire of the altar, of which it is written, "It shall not go out." Rabba says he is guiltless: the moment he has removed it from the altar, the fire is not regarded any more as that of the altar. Now, what R. Na'hman has said in the name of Rabba b. Abahu, that he who has taken a coal from the altar, and extinguished it, is culpable, will be neither according to Abayi nor to Rabba? What comparison is there? In that case he took it for a religious purpose, to light the lamp, or so, and it was extinguished, but in this case he removed a coal and extinguished it wantonly.

CHAPTER V.

REGULATIONS CONCERNING THE REMAINING SERVICES OF THE HIGH-PRIEST ON THIS DAY IN THE TIMES OF THE FIRST AND SECOND TEMPLES.

MISHNA: They brought to him a [golden] spoon and censer: he took two handfuls [of incense] and filled the spoon with it. If he had a large hand, it was much; otherwise, it was a little: he used the hand as the measure. He took the censer in his right hand, and the spoon in his left hand.

GEMARA: In a Boraitha we have learned: They brought him an empty spoon from the chamber of the utensils, and a censer full of incense from the chamber of Beth Abtinas.

"*He took two handfuls.*" What was the spoon needed for on the Day of Atonement? It is written [Lev. xvi. 12] merely, "both his hands full of incense, and bring it within the rail"? He could not dispense with a spoon. If he had carried in the censer first, and thereafter the incense, he would carry in twice, and it is written "bring in" only once? If he should take the incense in both his hands, and put the censer upon them, and carry them in at once, what should he do then? Take off the censer with his teeth, and put it down? If it would be unbecoming to do so in presence of a human king, how much more in presence of the King of Kings, the Holy One, blessed be He? Therefore it is impossible, and he is to do as the princes [Num. vii. 14], "One spoon . . . full of incense."

"*He took the censer in his right hand,*" etc. Shall the citizen be seated on the ground, and the stranger on the heaven of heavens? ("The spoon of incense in his *left* hand," etc.) The spoon is small, and more easily carried in the left hand, while the large censer is borne in the right hand. And if they should be equally heavy, as occurred to R. Ishmael b. Qim'hith, who is said to have taken two handfuls of four Kabs of incense, even he had to take the censer in his right hand, as the censer was hot (and he had to be more careful).

It was said of R. Ishmael, the son of Qim'hith: It once hap-

pened on the Day of Atonement he spoke in a public place with an Arab, whose saliva was sprinkled on the high-priest's clothes. He became unclean (as the Arab might be so). Then his brother Jeshohab entered and took his place, so his mother saw two high-priests of her sons the same day. Another day it happened that he spoke with a Gentile nobleman, and the same happened. Then Joseph his brother took his place. And the rabbis taught: Seven sons had Qim'hith, their mother, and all officiated as high-priests. When the sages asked her: How hast thou deserved it? She replied: The ceiling of my house never looked on my hair. The sages answered: Many did so, and it did not profit them.

The rabbis taught: It is written [Lev. vi. 8]: "He shall lift up from it his handful." We might think, his hand might be overfilled; it is therefore written, "his hand *full*," not more. We might think, he may take some with the tips of his fingers. Therefore it is written, "hand *full*." He should bend his three middle fingers on his palm, and remove with the extreme finger and thumb the incense found outside of the three. This was one of the difficult services in the Temple.

R. Johanan said: R. Joshua b. Uza'ah propounded a question, What is the matter with the incense between the middle fingers? Is it considered as belonging to the handful, or the overflow? He himself, said R. Johanan, decided later that it is doubtful. What, then, shall he do therewith? Says R. Hanina: First he should offer the handful, and then this; for if he offered this first, perhaps it is superfluous: and elsewhere we have learned that if the remains of a meal-offering have been lost before the handful was offered, the handful must not be brought.

R. Papa propounded a question: These handfuls, were they exactly measured according to the hand, or too full? Said R. Abbi to R. Ashi: Come and hear the following Boraitha: The handfuls were not exactly according to the measure of the hand, nor overfull, but middling.

R. Papa propounded another question: When the incense happened to be spilled by him, how is the law? Shall it be said, his hand is like the neck of an animal, and the incense is invalid (if the blood has been received from the throat, it is valid, but not if spilled on the ground), or shall we say his hand is like other utensils of the Temple, and if it had been spilled, it may yet be offered? This question is not decided.

The schoolmen asked R. Shesheth: If he had taken the blood

with his left hand, and placed it on the altar, is it valid, or invalid? He answered: We have learned it in our Mishna, that he took the spoon in his left hand (and yet it was offered). An objection was raised: We have learned in a Boraitha: "A layman, a mourner on the first day, a drunkard, and one who has a blemish, if one of these has received the blood, or carried it to the altar, or sprinkled it, he makes it invalid. The same is the case if he did it sitting, or with his left hand." This objection remains.

R. Papa propounded a question: If his companion took two handfuls, and emptied them into the priest's hands, how is the law? Shall we say, he has two handfuls, and it is valid, or shall we say, since it is written, "he shall take, and bring," it is invalid? This question is not decided. R. Joshua b. Levi propounded a question: When he had filled his hands with incense, and suddenly died, how then? Can another take it out from his hands and bring it in, or is other incense required? R. Hanina said: Come and see what kind of questions our predecessors have asked. Was R. Joshua b. Levi older than R. Hanina? Did not R. Joshua b. Levi say that R. Hanina had given me the permission to drink a beverage of *cress* on Sabbath? (See Sabbath, Mishna, p. 226.) He means, R. Hanina asked a profound question like to those asked by the ancestors. How is the law? Come and hear: "That was the measure." From this we must infer, that as the measure was outside, so it must be inside (that priest has a different hand, hence other incense is to be taken).

Perhaps the Mishna means to say that he may use his hand as a measure, or that he may not add to it or take away from what he has grasped? Come and hear: How did he do it (empty the frankincense from the spoon into his hands, both of which were occupied)? He took the handle of the *spoon* with his fingertips—others say, in his teeth—and moved his thumbs up the handle (being thus able not to spill the frankincense) till the handle fell, near his armpits, and the *head* of the spoon was above his palms. He then overturned the spoon, thus emptying the frankincense thence into his hands, and heaped the frankincense on the censer, that the smoke might be retarded; some say, he spread it out that it should smoke more rapidly.

This was one of the most difficult services of the difficult services that were in the Temple. Hence we see, he took of the frankincense once two handfuls, and then once more.

The schoolmen propounded a question: If he died while

slaughtering, might the blood be sprinkled? Shall we say, that since it is written "with a bullock," it is meant, the blood of the bullock alone, or the whole bull (so that the substitute cannot use him)? R. Hanina says, the entire bullock; Resh Lakish says, the blood alone. Said R. Papa: The hide and the flesh and the dung, all agree, are only parts of the bull; about the blood they differ. One says, the blood is not the bull; the other thinks the blood only is the bull. Says R. Ashi: It seems to me, the one who says that the blood is considered as one with the bull is in the right. Because it is written [Lev. xvi. 3], "With this shall Aaron come into the holy place: with a young bullock," is it meant that he should lead him by the horns? and not simply that he should bring the blood; hence the blood is considered as one with the bullock. And what can the other reply to this? His answer is: It is written, "for a sin-offering"; the word "come" refers, not to the bullock, but to the sin-offering. Let him who says that the blood is one with the bull, give the reason that a sin-offering whose owner has died cannot be used for any purpose, and is only put to death.

Said Rabbin b. R. Adda to Rabba: Thy disciples have said in the name of R. Amram that this bullock is considered a sin-offering for the congregation (who are considered its owners, because he comes to atone for himself and for his fellow-priests), and such is not put to death.

MISHNA: He walked through the Temple till he reached the place between the two vails which separated the sanctuary from the Holy of Holies—one ell wide. R. Jose says: There was but one vail, as it is said [Ex. xxxi. 33]: "And the vail shall divide unto you between the holy place and the most holy."

GEMARA: Did not R. Jose say very correctly to the rabbis? The rabbis may say: This was only the case in the tabernacle, but as in the second Temple there was no ell for the entrance at all (because a partition only an ell thick could not support itself, for the walls of the Temple were a hundred ells high) and only in the first, it was doubted whether this ell of the entrance belonged to the Holy of Holies or the sanctuary. Therefore they made two vails.

The rabbis taught: He walked between the altar and the lamps, so said R. Jehudah. R. Meir says, between the table and the altar. Others say, he walked between the table and the walls. Who are the others? That is R. Jose, who says the

door of the Temple was in the north. R. Jehudah says the door was in the south.

R. Jose says that he walked between the table and wall, which is a public entrance, because the Israelites are a people beloved by God, and need no delegate to pray for them (as it is written [1 Kings viii. 38]: "When they shall be conscious every man of the plague of his own heart, and he shall then spread forth his hands"), therefore their delegate to God needed no private entrance, but could do it in sight of the public.

R. Nathan said: The ell of the entrance was a matter of doubt to the sages, whether it was holy as the Holy of Holies or the sanctuary, and that is what R. Johanan has said: Joseph the man of Hutzal has propounded a question: It is written [1 Kings vi. 19]: "And the Debir in the house *within* did he prepare, to set therein the ark of the covenant of the Lord." They did not know what is meant: whether the place inside of the Debir was prepared for the ark, or that the Debir was itself inside.

MISHNA: The outer one was raised and looked to the southern [wall] and the inner one to the northern. He walked between them, till he reached the northern [wall]: having arrived thither, he turned his face to the south, he walked back with his left hand to the curtain, reaching the ark [which was on his right in the Holy of Holies, reaching the place where the inner curtain was]. Coming there, he placed the censer between the staves, heaped the incense on the top of the coals, so that the whole house was filled with smoke. He departed in the same manner as he had come [facing the Holy of Holies, walking backward], and said a short prayer in the outer sanctuary, but not making it a long one, so as not to alarm the Israelites [about his absence, lest he had been killed by God].

GEMARA: Of which Temple is it spoken? In the first Temple there was a partition, not a curtain, before the ark; if the second, there was no ark in it? As we have learned in the following Boraitha: Since the ark was concealed, with it were hidden the flask of manna [Ex. xvi. 33] and the flask of anointing oil, Aaron's staff, its almonds and buds, and the box the Philistines sent as a gift to the God of Israel with the golden vessels. And who concealed them? King Joshiah. Why? Because it is written [Deut. xxviii. 36]: "The Lord will drive thee and thy king whom thou wilt set over thee," he concealed it; as it is written [2 Chron. xxxv. 3]: "And he said unto the Levites that

instructed all Israel, who were holy men unto the Lord: Set the holy ark in the house which Solomon the son of David the King of Israel did build; ye have not to carry it any more upon your shoulders: now serve the Lord your God, and His people Israel." And R. Eliezer said to this: From the analogy of expression—namely, that of the ark—it is said "there" [Ex. xxx.], and of the flask of manna also "there" [ibid. xvii.]; and there are also mentioned "generations" and "for preservation." R. Eliezer infers that Joshiah concealed them. There was then no ark? The second Temple is meant; and not the ark, but the place where it had to stand, is meant. But it is said, "between the two staves." The place they would occupy is meant.

"*Heaped the incense on the top of the coals.*" Our Mishna will agree with him who has said in a Boraitha: Heap it, that the issue of the smoke be retarded (made slow). In one Boraitha we have learned: He heaps it inside, away from him. In another Boraitha: He heaps it outside, toward himself. How will they agree? Says Abayi: There is a difference of opinion between two Tanaim; one says one way, the other, otherwise. Abayi says again: It seems to me the Halakha is according to him who says that he must heap it inside, away from himself; because, as we have further learned in a Mishna, they teach him not to heap near his face, lest he burn himself.

The rabbis taught: It is written [Lev. xvi. 13]: "He shall put the incense upon the fire, before the Lord." "Before the Lord": he must not prepare it outside, but inside, in the Holy of Holies. This is to contradict the Sadducees, who said that he must prepare outside. Why? Because, they say, it is written [ibid. 2]: "For in the cloud will I appear upon the mercy-seat." Cloud is interpreted, the cloud of the incense. When he prepares outside, he enters with a cloud of incense. The sages said to the Sadducees: Is it not written: "He shall put the incense upon the fire *before the Lord*"? So it has to be prepared inside. They rejoined: What will you make of the "cloud"? The rabbis say: From this we deduce that he must put in the herb which straightens the smoke. How is it known that that herb has to be put in? Because it is written [ibid. 13]: "That the cloud of the incense may envelop." Without that herb, how will the mercy-seat be enveloped? If he has omitted to put in this herb or any ingredient, he is liable to capital punishment. Why give this reason, when, if he come in without the incense being entirely prepared, he enters the Holy of Holies

gratuitously, which involves capital punishment? Says R. Shesheth: The case is, he had omitted one ingredient intentionally, but entered unintentionally. R. Ashi says: Even if he did both things intentionally, but entered with two kinds of incense, one kind prepared as is lawful and the other not, for entering he is not culpable, but for having prepared incense lacking some ingredient he deserves capital punishment.

"*He departed in the same manner as he had come.*" Whence do we deduce this? Said R. Shama b. Na'hmain in the name of R. Jonathan: It is written [2 Chron. i. 13]: "Then came Solomon from the high place that was at Gibeon *to* Jerusalem" (literally, *at*). How comes Gibeon to be in Jerusalem? His return from Gibeon to Jerusalem is compared to his entering Gibeon from Jerusalem. As when he entered Gibeon from Jerusalem his face was turned to the high place, so when he left it, his face was still turned to the high place. So did also the priests after service, the Levites after their song, and the Israelites after they had been standing. When they left, their countenances were turned to the Temple. So also a disciple, leaving his Master, should do. So R. Elazar, when he used to part from Johanan. When R. Johanan desired to leave first, he bent himself in his place till Johanan was out of his sight; when R. Elazar was to leave first, he walked backwards till he could see him no longer. Rabba, leaving R. Joseph (who was blind), used to walk backwards till his feet struck against the threshold, so as to cause them to bleed. When this was related to R. Joseph, he said to Rabba: May God's will be that you shall raise your head above the whole city. R. Alexandri said in the name of R. Joshuah b. Levi: Who prays, should make three steps backwards, and then say, "Maketh peace," etc. Said R. Mordecai to him: If he has made three steps backwards, he must stop there a while. It is like a disciple who has taken farewell of his Master, and then returns to him on the instant, which is like a dog returning to his vomit. If he has failed in doing so, he would better not have prayed at all. In the name of Shemaia it has been said: When he says these words, he should first bow to the right, then to the left; as it is written [Deut. xxx. 2]: "From his right hand a fiery law." Rabha saw Abayi, who said "He maketh peace" first on the right, and then on his left. He said to him: Thinkest thou, thou must say this to the right side of thyself? nay, of the Holy One, blessed be He, who is opposite to thee and whose right side thus corresponds to thy left side. R. Hiya the son of R. Huna

said: I saw Abayi and Rabha making the three steps backwards with one bow.

"*And said a short prayer.*" What was the prayer? Rabba and Rabbin the sons of R. Adda both said in the name of Rabh: May it be Thy will, Lord our God, that if this year will be a hot one, Thou mayest give plenty of rain. R. A'ha the son of Rabha said in the name of R. Jehudah that the high-priest used to conclude the prayer as follows: May no ruler cease from the house of Judah, and may Thy people Israel not depend for livelihood on each other (not be paupers), and mayest Thou not heed the prayers of travellers who ask for the cessation of rain.

R. Hanina Dasa happened to be on the road. It began to rain. He said: Lord of the Universe, the whole world enjoys, but Hanina is afflicted. The rain ceased. When he reached home, he said: The whole world is in anxiety because no rain comes, only Hanina is contented (having no fields). Rain began to come again.

Says R. Joseph: What availed the prayer of the high-priest against the prayer of R. Hanina Dasa?

The rabbis taught: It happened that one high-priest made his prayer very long. When the priests became alarmed, they went to see whether he had died, and met him returning. They inquired of him why he had made his prayer so long. He said: Is this displeasing to you, when I prayed the Lord that the Temple might not be destroyed? They said to him: Do not thou repeat it, as we have learned in the Mishna, "He should not make the prayer long, lest he alarm the congregation."

MISHNA: When the ark had been taken away, there was a stone from the time of the first prophets, "Shethia" [foundation] it was called, three-finger high above the ground. Thereupon he placed [the censer]. He took the blood from the one who stirred it, went to the place whither he had gone, and stopped where he had stopped [in the Holy of Holies], and sprinkled from his position once upward and seven times downward [Lev. xvi. 14], without being intent on sprinkling it either upward or downward, but holding the palm open, either turned outward or toward himself [meaning doubtful]. Thus he was counting: one [upward], one and one [downward], one and two, one and three, one and four, one and five, one and six, one and seven. He departed, and placed it [the basin] on the golden stand in the Temple. They brought to him the he-goat, he slaughtered it, and received in a basin its blood. He went to

the former place, stopping where he had stopped, and sprinkled thereof once upward, and seven times downward, without taking care to sprinkle upward or downward, but holding his palm open, turned in or out, and counting thus: one, one and one, one and two, etc. He came out, and placed it on the second stand that was in the Temple. R. Jehudah saith: There was but one stand there. He took up the bull's blood, and put down the he-goat's blood. He sprinkled thereof at the curtain which was opposite to the ark outside, once upward, and seven times down, without taking care, etc., and thus counting, etc. He lifted the blood [-filled basin] of the he-goat, and put down that of the bull's blood; he sprinkled of it on the curtain opposite to the ark outside, once upward, seven times down, etc. He emptied the bull's blood into the he-goat's blood, and transferred (the contents of) the filled basin into the empty one.

GEMARA: The Mishna says, "When the ark was taken away," not *concealed;* it holds, therefore, that it was removed to Babylon. As we have learned in a Boraitha, R. Eliezer said: The ark was taken into exile in Babylonia. As it is written [2 Chron. xxxvi. 10]: "And with the expiration of the year did King Nebuchadnezzar send, and had him brought to Babylon, with the precious vessels of the house of the Lord" (precious; that is, the ark). R. Simeon b. Jochai infers this from another passage [Is. xxxix. 6]: "No thing shall be left": no word (for "thing," "word," and "commandment" the same Hebrew word is here used) will be left, none of the ten commandments (or the ark which contained them). R. Jehudah, however, says: The ark was concealed in its place (Temple), as it is written [1 Kings viii. 8]: "And they had made the staves so long, that the ends of the staves were seen out in the holy place in the front of the Debir, but they were not seen without; *and they have remained there until this day.*" And he who says that R. Simeon b. Jochai thinks that the ark was taken into exile, differs from Ulla, who says as follows: R. Mathia b. Heresh had asked R. Simeon b. Jochai in Rome: We see that R. Eliezer infers from two verses that the ark was taken into exile. One verse is quoted above; the other is [Lam. i. 6]: "There is gone forth from the daughter of Zion all her splendor." Thereby the ark is meant. What hast thou to say thereto? He replied: I say, the ark was concealed on the spot, and the proof is the verse quoted above. Said R. Na'hman b. Itz'hak: We have also learned it in a Mishna in Shekalim [VI., *b*]: "Once a priest was engaged there, and he

noticed that one of the paving stones on one place appeared different from the others. He went out to tell others of it; but he had not yet finished speaking, when he gave up the ghost. Thereby it was known to a certainty that the ark of the covenant was hidden there." What was he engaged in? Says R. Helbo: He was busy sporting with his axe. The disciples of R. Ishmael have taught: There were two blemished priests who picked out the wood, which was not mouldy. The axe of one fell down on the place where the ark was concealed; a fire issued, which consumed him.

"*A stone, Shethia.*" We have learned in a Boraitha: The word *Shethia* means, that the universe has been created from it, as *Shethia* means *foundation*. This is according to him who says, that from Zion the world began to be created, as we have learned in the following Boraitha: R. Eliezer said: The world was created from the very middle, as it is written [Job xxxviii. 38]: "When the dust is poured out as molten metal, and the clods are made to cleave fast together" (first the central piece was made, then the other parts adhered to it). R. Joshua says: The world was created beginning with the extremities, as it is written [ibid. xxxvii. 6]: "For to the snow he saith, Be thou earth. Likewise to the pouring rain, and to the pouring rains of his strength." Four times the word "rain" is repeated here (in Hebrew, but "rain" means in Talmudic dialect "matter"). There were then four pieces of matter, and of them was composed the world. R. Itz'hak says: The Holy One, blessed be He, threw a stone into the sea, and therefrom a world was made. As it is written [ibid. xxxviii. 6]: "Upon what are her foundation-pillars placed at rest? or who threw her corner-*stone*"? The sages, however, said: The world was created beginning with Zion. As it is written [Ps. l. 1, 2]: "The God of Gods, the Lord Speaketh," etc. "Out of Zion, the perfection of beauty." That signifies, from Zion began to be the beauty of the whole world. In another Boraitha we have learned: R. Eliezer the Great said, It is written [Gen. ii. 4]: "These are the generations of the heavens and the earth when they were created, on the day that the Lord God made earth and heaven." The luminous stars, etc., were created from the heavens, and all earthly things from the earth. But the sages say: Everything was created from Zion. As it is written [Ps. l. 1]: "A Psalm of Assaph. The God of gods," etc. "The perfection of beauty," *i.e.*, the beauty of the whole world.

"*Holding the palm open.*" What is meant by this? Said R. Jehudah: As one uses a lash first from the right to the left, and then downward.

"*He took the blood from the one who stirred it,*" etc. We have learned in a Boraitha: When he sprinkled, he did not sprinkle on the top of the mercy-seat, but opposite; and not that the blood should fall on it, but on the ground. When he sprinkled on the top of the mercy-seat, he bent the palm downward, that it should not fall on the mercy-seat, and when he sprinkled beneath it, he held his palm bent upward, that it should not fall on the mercy-seat, but on the ground. Whence do we deduce this? Because it is written [Lev. xvi. 15]: "He shall sprinkle it above the mercy-seat, and before the mercy-seat." This had not to be written, as it has already been written in the case of the bullock [ibid. 14]. It is meant to make the "before" and "above" equal; as by "before" the mercy-seat, it is meant that it should not be sprinkled at it, but opposite to it; so also by "above" is meant, not upon it, but opposite to it.

The rabbis taught: It is written: "And he shall sprinkle it above the mercy-seat." From this we know only once above (*it*, in case of the goat). How many times had he to sprinkle downward? This we have to infer from the bullock: as it is written of him seven times, so we infer in regard to the he-goat. We know that it is equal in case of the bullock and goat, downward; but we do not know how many times he is to sprinkle downward in case of the bullock? We apply to the bullock the law in reference to the goat: as in the case of the goat, so in the case of the bullock—once downward, seven times upward.

"*One, one and one,*" etc. The rabbis taught: He counted one, one and one, one and two, etc., up to seven. So said R. Meir. R. Jehudah says: One, one and one, two and one, three and one, four and one, five and one, six and one, seven and one. They do not differ. Each said according to the custom in his part of the country (in the one place they said, *e.g.*, twenty-one, in the other one and twenty). Now we see that all agree that the first time of sprinkling had to be counted along with each of the other seven? What is the reason? Said R. Elazar: He should make no mistake in the number of countings. R. Johanan says: Because it is written again [ibid. 14]: 'Shall he sprinkle," superfluously, it is to teach us that the first he ought to count with all the others. What is the point of their difference?

R. Elazar says: If he has failed to do it, but made no mistake, it is valid; but according to R. Johanan, it is not.

"*He departed, and placed it on the golden stand.*" One of the scholars read the prayer in the presence of Rabha, and read, "He departed, and placed it on the second stand"; and after this he read, "He took the he-goat's blood, and put down the bullock's blood." Said Rabha to him: The first thing thou readest according to the rabbis (who say there were two stands), and the second according to R. Jehudah (who says there was but one stand, and therefore he took down the bullock's blood when he came with the goat's blood), you thus contradict yourself. You should say: He put down the goat's blood (on the second stand), and took up the bullock's blood (from the first stand).

The rabbis taught: It is written [ibid. 16]: "So shall he do for the tabernacle," etc. Wherefore had this to be written? It comes to teach us, that as in the Holy of Holies he had to sprinkle once and seven times, both from the bullock's blood and the goat's, so he had to do in the sanctuary.

"*That abideth among them in the midst of their uncleanness.*" This signifies, even when they were unclean, the Shekhina continued to be among them. A certain Sadducee said to R. Hanina: At the present time, when the Temple is destroyed, ye are certainly unclean, as it is written [Lam. i. 9]: "Her uncleanness on her skirts." He replied to him: Come and see. It is written: "That abideth among them in the midst of their uncleanness."

We have learned in a Boraitha: When he sprinkled on the vail, he sprinkled not upon it, but opposite to it (that the blood fell on the ground). R. Eliezer b. R. Jose, however, said: I have seen on the vail in Rome the marks of the drops of blood of the bullock and goat of the Day of Atonement.

What is the law, when the bloods of the bullock and goat got mingled? What shall he do therewith? Says Rabha: He sprinkled thereof once upward, and seven times downward, and this sufficed for both. This Halakha has been communicated to Jeremiah in Palestine: He said: Ye Babylonians are stupid. Because ye live in a dark land, ye say dark Halakhas. In this manner, he will sprinkle the he-goat's blood before the bullock's, and it is written [Lev. xvi. 20]: "When he hath made an end of atoning for the holy place." "The end"—hence everything must be in its proper turn. What, then, shall he do? Says

R. Jeremiah: Once he sprinkles it as the bullock's, and then a second time as the he-goat's blood.

How if the bloods got mixed, when he has already sprinkled the bullock's blood upward? Said Rabha: He should sprinkle it seven times downward as the bullock's, and then upward and downward as the he-goat's, blood. How if he has confounded the basins? What shall he do then? He should sprinkle three times, once for the bullock, then for the he-goat, and the third time for the he-goat (lest the he-goat's blood had preceded the bullock's when he sprinkled the first time).

"*He emptied the bull's blood into the he-goat's.*" Our Mishna will be according to him who maintains that the bloods must be mixed, for the purpose of putting it on the corners of the altar. Because it was taught: R. Joshiah and R. Jonathan said, one of them that they had to be mingled, and the other that they ought not to be mingled, but put separately on the corners of the altar. It seems that R. Joshiah was the one who said they had to be mingled, as we have heard elsewhere, though it is not written "together" [Lev. xvi. 18]; yet since it is written "and," it is as good as though it had been written "together."

We have learned in another Boraitha: It is written: "He shall take from the blood of the bullock and the blood of the he-goat." That signifies, they should be mixed together. But whence do ye know that it means that they should be sprinkled together, not separately? Therefore it is written [Ex. xxx. 10]: "And Aaron shall make an atonement upon its horns once in a year": *once*, not repeatedly. We see that the anonymous Boraitha is according to R. Joshiah.

"*He transferred* (*the contents of*) *the filled one into the empty one.*" Rami b. Hama propounded a question of R. Hisda: If he had placed one basin in the other, and therein received the blood, how is it? Should we say, as they are of one kind, that forms no invalidation? or that though of one kind, it is an invalidation? R. Hisda answered him: We have learned it in our Mishna: He has transferred the filled one into the empty one. Shall we not assume that it means, he placed the full basin in the empty one? Nay. It means, he poured the contents of the full basin into the empty one. But this is already mentioned in the beginning of the sentence? He transfers the mixed blood again into an empty vessel, to mix the two kinds of blood the better.

MISHNA: He then went out to the altar which is before the Lord, which is the golden altar, and began to cleanse it, downward. Whence does he begin? From the northeastern corner [horn] to the northwestern, southwestern, southeastern. Where he begins to cleanse the outer altar, at that spot he finishes cleansing the inner. R. Eliezer says he remains where he stands, and thence cleanses [the altar being one ell square]. Everywhere he sprinkled from below upward, except at the spot where he stood, whereat he sprinkled from above downward.

He sprinkled on the clean place of the altar [where the gold was to be seen] seven times, and what remained of the blood he poured at the western base of the outer altar, and what remained of the blood of the outer altar he poured at the southern base. Both kinds of blood mingled in the trench, and flowed out into the brook Kidron. And it was sold to gardeners as manure, but one offends by [using without paying for] them.

GEMARA: We have learned in a Boraitha: Why is it necessary to repeat here, "before the Lord"? Said R. Nehemiah: Because we find that when he held the bloods of the bullock and he-goat he stood inside of the altar, and sprinkled the blood on the vail, we might think that at the same time he should sprinkle on the golden altar: therefore it is written [Lev. iv. 7], "the altar of the incense of spice, before the Lord," to let us know that the altar was before the Lord, but not the priest. What, then, should he do? He had to come out to the outside of the altar, and thence sprinkle.

"*Began to cleanse it, downward.*" The rabbis taught: He began to cleanse from above downward. And whence did he begin? From the southeastern to the southwestern, northwestern, northeastern. So is the decree of R. Aqiba. R. Jose the Galilean said: From the northeastern to the northwestern, southwestern, southeastern. So that at the place where, according to R. Jose, he begins, according to R. Aqiba he finishes, and *vice versa*. Now we see that, according to all, he does not begin with the corner he meets first, but some definite corner. What is the reason? Said Samuel: Because it is written, "He went out to the altar," till he has come out from the place inside of the altar, and comes outside. (What is the point of difference between the two Tanaim?) The following: R. Aqiba thinks he has to walk round the altar, and R. Jose that he ought only to cleanse the altar at all corners, making its round with the *hand*. We have learned in a Boraitha: R. Ishmael said: Two high-

priests remained of the first Temple. One said, he had passed round the altar with his hand; and the other, he had walked round it with his feet. And both gave their reasons. The one said: As it is written, "round." The inner altar was like the outer, which was large, and had to be walked around; while the other said: It was small, and with his hand one could reach all corners, as it was only in size like one corner of the outer altar: hence it was not necessary to walk round it.

"*He sprinkled at the clean place of the altar.*" What is meant by the clean place? Said Rabba b. R. Shila: Where the altar was not covered, as it is written [Ex. xxiv. 10]: "Like the color of heaven in clearness." We have learned in a Boraitha: Hanania says, he sprinkled on the northern side, and R. Jose says, southern. On what point do they differ? The one says the door of the sanctuary was at the north, the other says, at the south; but all agree, that where he finished to put the blood on the corners, at that side he sprinkled on the top. What is the reason? Because it is written [Lev. xvi. 19]: "He shall cleanse it and hallow it." That signifies where he had hallowed it, there he shall cleanse it.

"*What remained of the blood,*" etc. This is because it is written [ibid. iv. 7]: "All the (remaining) blood of the bullock shall he pour out," and when he comes out, he meets the western base of the outer altar first.

"*Of the outer altar, he poured at the southern base.*" The rabbis taught: By the base of the altar, the southern base is meant.

And another Boraitha states that, according to R. Ishmael, it was the western. The disciples of R. Ishmael, however, taught in the name of R. Ishmael, as the disciples of R. Simeon b. Jochai, that it was the southern (that is, R. Ishmael revoked what he said).

"*One may offend,*" etc. The rabbis taught: One becomes guilty, when he uses the blood for his benefit. So is the decree of R. Meir and R. Simeon. The sages, however, said: The blood may be used. They are at variance only as to whether it is rabbinically an offence or not; but all agree that, biblically, one cannot offend (for if they thought it was biblical, they would not sell it to gardeners. *Tosphath.*) Whence do we deduce this? Says Ulla: It is written [Lev. xvii. 11]: "I have appointed it for you upon the altar to make an atonement for your souls": for *you*, it should belong to you. The disciples of R. Simeon taught: To make an atonement, but not an offence.

R. Johanan says: In the same verse it is written, "For the blood it is that maketh an atonement for the soul." It is (after the atonement) as it had been before the atonement.

MISHNA: It holds true of all the rites on the Day of Atonement, whose order is prescribed by the Bible (and stated in the above Mishnas), that if they are performed in a wrong order, one has done nothing. Had he used the blood of the he-goat previously to that of the bull, he should sprinkle once more some of that he-goat's blood after that bull's blood, and if while he had not completed the offering of the gifts in the inner part [Holy of Holies], the blood was spilled, it is incumbent upon him to fetch other blood, and once more sprinkle it inside, and the same is the case in the Temple, and also of the golden altar, because all [rites] are separate atonements. R. Elazar and R. Simeon say, however: From where he had been mistaken, he should begin anew.

GEMARA: The rabbis taught: It holds true of all ceremonies of the Day of Atonement whose order is stated in the Mishna, if one of them has been performed earlier than that which should precede it, it is as nothing. R. Jehudah, however, said: This is only true of the rites performed in the white garments in the Holy of Holies, but of the ceremonies performed in the white garments outside (*e.g.*, the lots, emptying the remaining blood, or confessions), it is true that if he has done them out of the right order, they are still valid. R. Nehemiah said: The case is simply, all ceremonies performed not in the right order in the white garments, whether in the Holy of Holies or outside, are invalid; but the rites performed in the golden garments outside must not be done again. Said R. Johanan: Both have deduced it from the same verse. It is written [Lev. xvi. 34]: "And this shall be unto you as a statute for everlasting, to make an atonement for the children of Israel for all their sins once a year." R. Jehudah holds, what is meant by "once a year"? Where the atonements are made once a year, and that is in the Holy of Holies. R. Nehemiah holds, that not the place where once a year the rites are performed is meant, but the rites done for atoning once a year, and that is inside and outside.

How can R. Jehudah say, the place is meant? It is only written "once a year." We must say, the reason of R. Jehudah is this: It is written, "and *this* shall be," and then "*once* a year." Hence two limitations, one excluding what is performed in the white garments outside of the Holy of Holies, the other

excluding what is done in the golden garments. And R. Nehemiah says: The one expression excludes what is performed in the golden clothes, and the other the remainders of the blood, which, if not emptied at all, involves no transgression.

R. Hanina said: If he has taken the handfuls of frankincense before the bullock has been slaughtered, he has done nothing. This cannot be according to R. Jehudah, for according to R. Jehudah it is only the rites performed in the Holy of Holies, but this is done outside? Nay; even according to R. Jehudah it would have been invalid. Why? Because it is a preparatory service for a service performed in the Holy of Holies (it is equal to such a service).

Ulla said: If he has slaughtered the goat before the bullock's blood had been sprinkled, he has done nothing. An objection was raised: It is said in our Mishna, if he has sprinkled the he-goat's blood before the bullock's, he should sprinkle once more. If it were as Ulla says, it should have been said: he should slaughter a second time. Ulla explained the Mishna: That is the case with the offerings in the sanctuary, but in the Holy of Holies the bullock's blood must be sprinkled first, then the he-goat must be slaughtered. And so has also R. Ephes explained.

"*The same is the case in the Temple,*" etc. The rabbis taught: It is written [Lev. xvi. 33]: "He shall make an atonement for the sanctuary of holiness, and for the tabernacle of the congregation and for the altar shall he make an atonement; and also for the priests and for all the people of the congregation shall he make an atonement." The sanctuary of holiness—that is, the Holy of Holies; by the tabernacle the Temple is meant —the altar, literally; "shall he make an atonement"—by this is meant the court where the priests might walk; "the priests," literally, "the people of the congregation," Israel; "make an atonement" once more—that means the Levites.

All are then equal in their atonement; that is, all are atoned for by the scapegoat for all sins except uncleanness. So said R. Jehudah. R. Simeon, however, said: As the blood of the he-goat, sprinkled inside, atones for Israel only the uncleannesses of the Temple and all sacred things, so the blood of the bullock atones for the priests only the sins of uncleanness. And as the confession over the scapegoat atoned for Israel's other sins, so also the confession over the bullock atoned for the other sins of the priests.

In a Boraitha we have learned: Rabbi has said: My Master, R. Jacob, has taught me this difference of opinion of R. Elazar and R. Simeon in our Mishna is only in relation to the *logs* offered by lepers.

R. Johanan said: The trespass-offering of a leper, if slaughtered for a wrong purpose, is where the same difference of opinion of our Mishna exists. According to R. Meir, who says that if he has made a mistake, he must begin anew, he must in this case also bring another trespass-offering. But according to R. Elazar and R. Simeon, who say that he must begin where he had made the mistake, there is no mending of this mistake; for it has been slaughtered already (and if he should slaughter another, he will offer *two*, while it is written *one*). The following Boraitha is according to R. Johanan: If a leper's trespass-offering has been slaughtered for another purpose, or some of its blood was not put on the thumbs and great toes of the leper, it may be offered on the altar, and requires a drink-offering; but another trespass-offering has to be offered.

The rabbis taught: All things mentioned in our Mishna—bullocks, he-goats—that have become invalid, defile the garments of him who burns them, and they must be burned in the place where the real sacrifices are burned. [See Lev. xvi. 27, 28.] So is the decree of R. Eliezer and R. Simeon. The sages, however, say: They are not to be burned, because only those which have been used the last, because used for the atonement, must be burned there. Rabha asked R. Na'hman: (If the he-goats have become invalid, two others are required) how many shall he despatch as scapegoats? R. Na'hman answered him: Shall he send a whole flock? R. Papi says in the name of Rabha: He sends the first. R. Simi says in the name of the same: The last. It is right according to R. Simi, because the other of the couple has been used for the atonement; but what is the reason of Rabha, according to R. Papi's saying? He holds as R. Jose of the following Boraitha: If one separates his Paschal lamb and the same be lost, and after he purchases another one in its stead the first one is found, he may offer either one of them. So is the decree of the sages. R. Jose, however, says: There is a merit to offer the first one, unless the second was a better one.

CHAPTER VI.

REGULATIONS CONCERNING THE HE-GOATS OF THE DAY OF ATONEMENT AND THE SENDING TO THE DESERT, AND THE CONFESSION THEREAT.

MISHNA: It is a merit that the two he-goats for the Day of Atonement should be equal in color, stature, and price, and both (bought) at the same time; but if they are not equal, they may still be used. If one was bought to-day, and the other on the morrow, they are valid. If one of them died, then if this occurs before the lots are drawn, another is purchased to make up the pair; but if later, then a new pair should be acquired. Lots should be drawn again, and this should be said: If the Lord's he-goat has died, "The one on which the lot has fallen for the Lord may substitute him"; and if that of Azazel has died, "The one on which the lot has fallen for Azazel may substitute him." And the remaining one of the previous pair should be allowed to feed (graze) till it chance to get a blemish, when it is sold, and the money goes as a gift-offering, since an animal designed to atone for the congregation is not put to death. R. Jehudah says, it is (put to death). Also said R. Jehudah: If the blood [of the Lord's he-goat, when slaughtered] had already been spilled, the scapegoat should be put to death; if the scapegoat had died, the other one's blood should be poured out [and a new pair purchased].

GEMARA: The rabbis taught: It is written [Lev. xvi. 5]: "He shall take two goats." Why is it mentioned, *two?* If it were in the plural, we would know, not less than two. It is meant, then, the two should be equals. How, then, do we know that when they were unlike they were still valid? Because it is written twice "goats" [ibid. 9, 10]. That shows, that if they were not alike they were still valid. But if "goat" were not repeated twice, they would have been, according to you, invalid? Whence would you deduce this? At the first glance, we would say, because it is written thrice "two" [ibid. 5, 7, 8]; but if the repetition of "goat" makes it valid, wherefore is this

repeated thrice? Infer from this, it is a merit that they be, first, equal in color; secondly, in stature; thirdly, in price. We have also learned thus in a Boraitha of sheep offered by lepers: It is written "two sheep." *Sheep* would suffice? From this it is also inferred they should be like each other, as stated above. But how do we know that if they are unlike each other they are valid? Because it is written "one sheep." The same Boraitha states in relation to the burnt-offering of a leper; there it is also written "two birds." The *two* could be dispensed with; and from the word *two* it is inferred that they should be alike. If it is so, why should we not say the same of the daily offerings, about which it is also written "*two* sheep"? This *two* is needed for what is stated in the following Boraitha: It is written [Num. xxviii. 3]: "Two on every day." From this we infer that it must be before the day's arrival (daybreak). (This is explained in Tract Tamid.)

The rabbis taught: Should the two he-goats of the Day of Atonement have been slaughtered outside of the Temple, if this was done before the drawing of the lots, he is culpable for both; but if later, he is culpable only for that designed for the Lord (not that for Azazel. Why should he be culpable?) Before the lots have been drawn, what are as yet these simple he-goats fit for? Said R. Hisda: Because they are fit for the additional sacrifices of the Day of Atonement, which are sacrificed outside of the Temple. (But how is this to be understood?) Why are they not fit to be sacrificed inside? Because the lots have not been drawn. The same is the case with the additional sacrifices; since all the services preceding these have not yet been performed they are not fit for additional sacrifices either?

R. Hisda holds: The inappropriate time is not to be compared with the unfitness of the goat itself (before the lots are drawn).

"*If the Lord's he-goat dies.*" Said Rabh: The second of the first pair must be sacrificed, but the second of the second pair must be left to graze. R. Johanan says conversely. On what point do they differ? Rabh says: A living thing is not postponed. (The second goat of the first pair, being fit, should not be postponed in favor of another goat to be sought out), and R. Johanan says, that such are postponed. What is Rabh's reason? Because he deduces it from the too early time; as he was unfit only as long as he had no fellow, he is fit henceforth. What comparison is this? In that case the he-goat was not yet

fit for anything, but here he has been already postponed. Why not continue to be postponed? Therefore we must say: Rabh deduces it from a temporary blemish. After the blemish has passed away, he is fit; so here, his unfitness is considered temporary.

According to Rabh's theory (that a living thing is not postponed), why only the second of the first pair and not as well of the second pair, say, then, he can choose which he likes? Said Rabha: Rabh holds as R. Jose that it is a merit to use the first (as mentioned at the end of the preceding chapter). Rabha said: It seems to us, that our Mishna is in accordance with Rabh, and a Boraitha is in accordance with R. Johanan. In our Mishna, it is stated: If the Lord's he-goat dies, the one on which the lot has fallen for the Lord shall substitute him; from this we infer that the other one continues to be as it has been. A Boraitha is according to R. Johanan, as we have learned: It is said in the Mishna*: The second should be allowed to graze. We do not know whether the second of the first or second pair. As it is written [Lev. xvi. 10]: "Shall be placed alive." Placed *alive*, not the one whose fellow is dead. How can that be inferred? "*Shall be* placed alive," signifies that it shall be placed alive *now*. But the one whose fellow had died has been left alive already. An objection was raised from the following sentence in our Mishna: "R. Jehudah said also: If the blood of the Lord's he-goat had been spilled, the scapegoat should be put to death; if the scapegoat had died, the other one's blood should be poured out." It is right according to Rabh, who says that, according to the first Tana, living things are not postponed, and the second of the second pair is to be left to graze; and what R. Jehudah says of its being put to death refers to the second of the first pair. It is right according to Rabh, who says that according to the first Tana a living thing is not postponed, as it is said in the Mishna, "also said R. Jehudah." That is to say, he differs on two points: first, whether a sin-offering for the congregation is put to death (he says, it shall be put to death), and whether a living thing is postponed. R. Jehudah says, it is postponed, and shall be put to death, and the second of the first pair shall be put to death. But according to R. Johanan, who explains that the first Tana means to say the second of the second pair

* This is according to Rashi's explanation, although it is unusual for a Boraitha to mention a Mishna.

(shall be sacrificed), but of the first shall be put to death, because a living thing can be postponed, consequently R. Jehudah differs from the first Tana only on one point, on the congregational offering. Why does the Mishna say, "and also"? This difficulty remains. (From this we see, the Mishna is according to Rabh, not R. Johanan.)

"*If the blood has been spilled, the scapegoat should be put to death.*" It is right that if the blood has been spilled, the scapegoat should be put to death, because the duty with the blood has not been fulfilled yet; but if the scapegoat has died, why should the blood be poured out? The duty (of drawing the lots, and of slaughtering the first) has been fulfilled already. Why need the blood be poured out? Said the disciples of R. Janai: Because it is written [ibid.]: "Shall be placed alive before the Lord, to make an atonement for him." That means he (the scapegoat) shall be alive till the atonement with the blood (of the other goat) has been made (and when he has died before, the blood must be poured out).

We have learned in a Boraitha about the Mishna in Shekalim, II., *a*. "If the inhabitants of a town sent their Shekalim," etc., as far as, "and nothing is credited to next year's account" (pp. 7, 8). R. Jehudah, however, said, they may be credited to next year's account. What is the reason of R. Jehudah? Said Rabba: R. Jehudah holds, the duties to be paid this year may be paid the next year. Abayi objected: From the following Tosephtha: The bullock and the he-goat of the Day of Atonement, if lost, and the he-goats offered for idolatry, if lost, and substituted by others and then recovered, then all should be put to death. So says R. Jehudah. If the duties of this year can be paid the next year, they could be left for the next year? Rabh answered: You want to compare the he-goats for idolatry to congregational sacrifices. The latter are quite different. This is as R. Tebi said in the name of R. Joshiah: It is written [Num. xxviii. 14]: "This is the burnt-offering of the new moon for every month throughout the months of the year." The Torah says: Proclaim it a new month, and also bring a sacrifice from *the new products* (Rosh Hashana, p. 9). This would be right in case of the he-goat, for it comes from the congregational funds; but the bullock, which is from the high-priest's, what can be said to it? And, secondly, what R. Tebi said in the name of R. Joshiah is only a merit, but not a duty, as R. Jehudah said in the name of Samuel [ibid., ibid.], that if it was done it is acceptable?

Therefore says R. Zerah: The reason is, that the lot cannot determine during this year for the next year. Let him draw lots the next year? It is a precautionary measure, lest it be said that the lot does determine during one year for the next year. All this is right of the he-goat? But why should the bullock, for which no lots are drawn, be put to death? It is a precautionary measure, lest one should deal with the he-goat as one would with the bullock.

Shall he then be put to death for a precautionary measure against what itself is a precautionary measure? Therefore, says Rabha: It is a precautionary measure, lest there should be a mistake. What mistake can be made? That of sacrificing them (if left to graze). Then this apprehension ought to exist in all cases where animals are left to graze (till they get a blemish and are sold)? If that of shearing their wool, or using them for work, the same fear ought to exist in all cases where invalid sacrifices are left to graze? The mistake of sacrificing them is meant, but for others there is no intention to sacrifice them at any time, as they are left to graze until they get a blemish; therefore a mistake cannot come to pass. But here, as the he-goat must be kept until the Day of Atonement of the next year, and it may be sacrificed by mistake before (the owner will take care it should *not* get a blemish). And whether a precautionary measure is taken against a mistake or not, the Tanaim of the two following Boraithas differ: one states, that a paschal sacrifice that has not been sacrificed during Passover may be sacrificed during the second Passover (the succeeding month, when those unclean before, celebrate it); and when not during the second Passover, it may be reserved for the Passover of the next year. And in another Boraitha we have learned: It may not be sacrificed at all. They differ, then, about the apprehension of a mistake; the Tana of the last Boraitha fears a mistake, and that of the first does not.

MISHNA: He comes to the scapegoat, and puts both hands on him, and confesses, using the following expression: I beseech Thee, Jehovah, they have committed iniquities, transgressed, sinned before Thee, Thy people the House of Israel. I beseech Thee, for the sake of Jehovah, forgive the iniquities, transgressions, and sins that they have committed, transgressed, and sinned before Thee, Thy people the House of Israel, as it is written in the Torah of Moses Thy servant, thus: "For on that day shall he make an atonement for you, to cleanse you,

that ye may be clean from all your sins before Jehovah." And the priests and people who stood in the forecourt, hearing the expressed name [of God, *i.e.*, *Jehovah*] issuing from the mouth of the high-priest, used to kneel, prostrate themselves, and fall on their faces, and say: "Blessed be the name of His kingdom's glory for ever." They delivered him [the scapegoat] to the man who was his conductor. All were fit to perform this function. Only the high-priests fixed a usage, that Israelites should not be permitted to do it. Said R. Jose: It happened the conductor was Arsala of Tsipore, who was an Israelite [not a priest]. An elevated walk had been constructed for him [the he-goat], on account of the Babylonians [Babylonian Jews; according to the Gemara, Alexandrian Jews], who used to pull him [the he-goat] by the hair, saying: "Take [the sins] and go, take and go."

GEMARA: We see that in this confession the children of Aaron are not mentioned. According to whom is it? Said R. Jeremiah: This is not in accordance with R. Jehudah; as he said, the priests are also atoned for by the scapegoat. Abayi, however, said: This may be according to R. Jehudah. Are not the priests included in the general phrase, "Thy people Israel"?

"*They delivered him to his conductor.*" The rabbis taught: It is written [Lev. xvi. 21]: "A man appointed thereto." From the word "man," it is inferred a layman is also fit. "Appointed" means, appointed from the day before, even when the Day of Atonement falls on a Sabbath, and even if he is unclean. Wherefore does he tell us, even a Sabbath? If the he-goat has become sick, and cannot walk, he may take him on his shoulder, and carry him. Said Raphram: From this it is inferred, that the law of Erub and carrying applies to Sabbath only, but not to the Day of Atonement (else what difference between a Day of Atonement falling on a week-day and a Sabbath?) *

Why is it mentioned, even when unclean? What case of uncleanness can be here? Said R. Shesheth: Even if the conductor became unclean, he may enter the Temple and take the he-goat.

R. Eliezer was asked: When the he-goat had become sick, might he be taken on the shoulders? He replied: The he-goat was so healthy that it could bear away you and me together. They asked him again: When the conductor had become sick, may another be appointed? He replied: Let us be healthy; do not

* What Raphram said is declared in Tract Tamid to be unfounded.

ask us about a case of sickness. They asked him again: If after having been pushed down he did not die, shall he go down and kill him? He gave them as answer the verse in Judges v. 31: "Thus may perish all Thy enemies, O Lord." The sages, however, said: If he had become sick, he must be taken on the shoulders; if the conductor is sick, another should be appointed; if he had been pushed and has not died, he should go down and put him to death.

R. Eliezer was asked whether a certain man would enjoy the world to come. He replied: You inquire of me concerning *that* man (he named a different man).* They asked of him again: May a shepherd rescue a sheep carried away by a lion? He replied: Do you ask me of a sheep? They asked him again: May the shepherd be rescued from the lion's mouth? He answered again: You ask me only of the shepherd. They asked him again: May a bastard be heir of his father? He asked them: May he espouse his dead and childless brother's wife? They asked him: If he possesses a house, must a memorial of the Temple's destruction be left, when his house is whitewashed (an ell is left bare)? He answered: I think you ask me whether his sepulchre is to be whitewashed? He answered thus, not because he wanted to repel them, but he never decided what he had not heard from his Master.

A wise woman asked R. Eliezer: What was done with the golden calf being equally forbidden, why were the penalties different, some being slaughtered with the sword, some dying by water, or by a plague? He answered: The wisdom of a woman relates only to the spindle, as it is written [Ex. xxxv. 25]: "All the wise women spun with their hands." It was taught: Rabh and Levi said—the one, that he who slaughtered to the golden calf and offered incense was slain by the sword; he who embraced and kissed it, died by the plague; and he who rejoiced in his heart thereat, died from dropsy. And the other says: They who did it in spite of warning by witnesses, were slain; they who were not warned but only witnessed, by the pest; and those whom witnesses had not seen, died by dropsy.

R. Jehudah said: The tribe of Levi was not idolatrous (in relation to the golden calf), as it is written [ibid. xxxii. 26]: "Whoever is on the Lord's side let him come unto me. And

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* Rashi and Tosphath say, the question was about Solomon, and he answered, "Do they mean Absalom?" But it does not seem probable to them.

there assembled themselves unto him all the sons of Levi." Rabhina was sitting and repeating this saying. The children of R. Papa b. Abba objected to him: It is written [Deut. xxxiii. 9]: "Who said of his father and his mother, I have not seen him." * By this is meant, those who slew for worshipping the calf, inflicted penalty on their relatives. Whence we see some of the Levites were guilty. Rabhina replied: By *father* is meant the maternal grandfather, who was of Israel, by brother a half-brother of the mother, and by children, the daughter's children, whose father was an Israelite.

"*An elevated walk had been constructed*," etc. We have learned in a Boraitha: R. Jehudah says: They were not Babylonian, but Alexandrian (Jews). Said R. Jose to him: May thy mind be appeased, as thou hast appeased mine (for he was a Babylonian himself).

"*Take and go.*" We have learned in a Boraitha: They used to say: Wherefore are they detaining the goat, the sins being so great?

MISHNA: Some of the prominent men of Jerusalem used to accompany him [the goat] as far as the first booth [of the ten, supplied with provisions for the conductor]. There were ten booths between Jerusalem and Tsuk [the rock of its destination], a distance of 90 Ris [7½ Ris are equal to one mile]. At each booth they said to him [to the conductor]: "Here is food, and here is water." And they [persons of the booth] accompanied him from booth to booth, excepting the last of them, for the rock was not reached by them; but they stood at some distance looking on what he [the conductor] did [to the scapegoat]. What did he do? He divided the tongue of crimson wool: the half of it he tied to the rock, and the second half between his [the scapegoat's] horns; he pushed him down backward. He went rolling and falling down; he did not reach halfway of the mountain before he became separated limb from limb. He [the conductor] returned to sit down under the last booth, till dark. And since when became his clothes unclean? After he had issued from the walls of Jerusalem. R. Simeon says: After he had pushed it down from the rock.

GEMARA: The rabbis taught: There were ten booths, and twelve *miles*: so says R. Meir. R. Jebudah says: There were nine booths, and ten miles. R. Jose says: Five booths, and

* We follow Leeser's translation in all our biblical quotations, which see.

ten miles. All were combined by an Erub. Said R. Jose: Elazar my son told me, if there were an Erub, two booths at ten miles would have been sufficient. Who is the Tana according to whom is what we have learned in our Mishna, that the last stood at a distance and looked? This is according to R. Meir, who says there were ten booths, and twelve miles.

"*At each booth they said to him*," etc. We have learned in a Boraitha: They never made use of it, but they were cheered by the consciousness that they could have it?

"*The half of it he tied to the rock*," etc. Why not the whole of it? Because he had not yet fulfilled the duty of pushing down the goat, and as soon as he had tied it to the rock, it might have become white: he would have rejoiced so much at the thought of the sins having been pardoned, that he might not have attended to the pushing him down. Why did he not tie it wholly to the horns? Because it might happen that the goat bent his head, so as to make him unable to perceive whether it had become white or not.

The rabbis taught: Formerly the tongue of crimson wool used to be tied to the door of the porch, outside (that all should see). When it became white, all were rejoiced; when not, all became out of spirits and ashamed. Therefore it has been reformed that it should be tied to the door of the porch inside. However, they used to take a look at it even then. It was then reformed that half should be tied to the rock, another half to the horns.

"*Before he attained half way of the mountain*," etc. The rabbis taught: It is written [Lev. xviii. 4]: "My ordinances shall ye do." This signifies, such things as, even were they not written, it would be wrong to do, as idolatry, adultery, bloodshed, robbery, and blasphemy. "And my statutes shall ye keep" [ibid.]. There are things that Satan laughs at, as abstaining from pork, from wearing mixed stuffs [Deut. xxii. 11], the taking off of the shoe of the husband's brother, purification of a leper, and the despatching of the he-goat. Lest it be said, they are nonsense, it is therefore written [Lev. xviii. 4]: "I am the Lord your God." I have commanded it; you have no right to question.

"*Since when became his clothes unclean*," etc. The rabbis taught: The conductor defiles his clothes, but not the person that sends him (the conductor). Shall we assume that as soon as

he comes out from the walls of the Temple court he becomes unclean? Therefore it is written [Lev. xvi. 26]: "He that takes away the goat to Azazel shall wash his clothes." What is meant by taking away? He who pushes him head downward, and he defiles his clothes.

MISHNA: He [the high-priest] went to the bull and to the he-goat destined to be burned. He ripped them, and tore out the parts to be burned upon the altar. He placed them on a charger (Magis), and kindled (for kindling) them upon the altar. He intermingled the limbs of the two animals, and they were removed to the place for burning. Since when are the clothes [of the porters] made unclean? When they came out behind the wall of the forecourt. R. Simeon says: When the fire is consuming most parts [of the animals].

GEMARA: *He intermingled.* Said R. Johanan, a sort of mingling. What is meant? We have learned in a Boraitha: He did not cut them as all burnt-offerings, in which the hide is flayed; but the bullock and he-goat, he cut the hide and flesh together. Whence do we deduce this? Because it is further written [Lev. iv. 11]: "His inwards, and his dung." How is it to be inferred from this? Said R. Papa: As the dung was in the inwards, so the flesh in the hide.

"*Since when are the clothes made unclean?*" The rabbis taught: It is written [ibid. xvi. 28]: "He that burneth them shall wash his clothes." He that burns, but not he who kindles, or he who lays the wood for the fire. Who is considered as the one that burns? He who assists at the burning, his clothes become unclean. Shall we say, that when it has been burned to ashes they still defile the clothes? Therefore it is written "them": he who burns *them*, but not the ashes. R. Eliezer b. R. Simeon says: When the flesh is still called flesh, it defiles; but when it has been dissolved, it no longer defiles. What is the difference between them? According to R. Eliezer, singed flesh ceases to be flesh, and does not defile; but according to the first Tana it is, and does.

MISHNA: The high-priest was told: "The goat has reached the desert." How was the fact known? Watches were stationed on high towers [meaning doubtful], who lifted up flags [to give signals]. Said R. Jehudah: They could have excellent evidence [by calculating the time]. From Jerusalem to Beth Hadudo was three miles. The prominent men had walked one mile, went back one mile, and had tarried as long as a mile is

gone over. Thus they could calculate that the he-goat had reached the desert.

R. Ishmael says: Why, they had another sign. A tongue of crimson wool used to be tied to the gate of the Temple, and as the he-goat had reached the desert, the wool used to become [by miracle] white; as it is said: "Though your sins be scarlet, they shall be as white as snow; though they be red as crimson, they shall become like wool" [Isaiah i. 18].

GEMARA: Said Abayi: From this we see that the Beth Hadudo was in the desert.

CHAPTER VII.

REGULATIONS CONCERNING THE PASSAGES READ BY THE HIGH-PRIEST AND WHAT GARMENTS HE MINISTERED IN AFTER, AND WHAT GARMENTS OTHER PRIESTS WORE.

MISHNA: The high-priest came to read. If he desired to read dressed in linen [white, byssus] garments, he did so; otherwise, he was reading in a white stole of his own. The Hazzan [servant, attendant] of the congregation takes the scrolls of the Torah, and presents them to the president of the congregation, the president presents them to the Segan, and the latter gives them to the high-priest. The high-priest rises, receives them, and reads standing. He reads the section, "After the death," etc. [*i. e.*, Lev. xvi.], and the section, "Also on the tenth," etc. [*i. e.*, Lev. xxiii. 26–32]. Then he rolls the scrolls together, and keeps them on his knees, and says: "More than what I have read to you, is written here." The section, "On the tenth," etc. [in the book of Numbers, xxix. 17], he reads by heart, and pronounces over it eight benedictions; namely, over the Torah, over the service, over the thanksgiving, the atonement of iniquity, the Temple by itself, and Israel by itself (and Jerusalem by itself, *in some versions*), the priests by themselves, and the rest of the prayer. He who sees the high-priest reading, does not witness the burning of the bull and the he-goat; he who witnesses the burning of the bull and the he-goat, does not see the high-priest reading: not because he is not allowed, but because there was a great distance, and both were done at the same time.

GEMARA: (Let us see:) If he might read in a white stole of his own, then we must assume that this is not a service for which the sacred garments are required; but at the same time, we see that he could read in the white garments. Hence we see they could be used even at other times than that of service. Infer from this, that the priestly garments he could use for his own benefit. Perhaps reading is different: though not itself a service, it is a preparation for service. Then the schoolmen pro-

pounded a question: May the priestly garments be used for personal purposes or not? Come and hear: The priest's garments, in the country, may not be used; but in the Temple, whether during service or not, they may be used, because it is allowed to derive a benefit from the priestly garments. Infer from this, that he may. You say, in the country it may not be used? Have we not learned in the following Boraitha: On the twenty-fifth of Tebeth is called the day of Mount Gerizzim, and no mourning is allowed on it. Why? Because on that day the Samaritans petitioned Alexander of Macedon to have our Temple destroyed, and he permitted them. When Simeon the Upright (the high-priest) was notified of it, he put on the priestly garments, and accompanied by the respectable men of Jerusalem, they all went with torches the whole night till dawn, both parties approaching each other. When it dawned, Alexander of Macedon perceived from a distance the Jews. He asked, Who are these men? And the Samaritans told him: They are the Jews, who have rebelled against thee. As they reached the town Antipatris, the sun had risen, and they faced each other. As Alexander saw R. Simeon the Upright, he descended from his chariot, and bowed to him. They said to him: Will such a great king as you bow to that Jew? He replied: His image I saw shining before me, whenever I gained a victory. He asked the Jews: Wherefore are you come? They said: The Temple wherein we pray for thee, and for thy empire, that it should not be destroyed, is it possible that thou shouldst be misled by the idolaters to bid its destruction? He asked: Who are those idolaters? They replied: These Samaritans who stand near thee. He said to them: I deliver them into your hands. Treat them as you please. They were soon fastened to the tails of their horses, and thus dragged as far as Mount Gerizzim, which was ploughed, and sowed, as they had intended to do with our Temple. This day was made a festival. (We see that Simeon the Upright went out even into the country in his priestly clothes.) If you wish, I will say, not the priestly clothes were meant, but clothes similar; and if you wish, I will say, this was in a case of urgency, and it is written [Ps. cxix. 126]: "It is time to act for the Lord: they have broken Thy law."

"*The Hazzan takes the scrolls,*" etc. Infer from this that honor is given to the disciple even in presence of the Master. Said Abayi: All this was only to honor the high-priest (that he might get it through many subordinate great officers).

"*The high-priest rises.*" It seems then implied that hitherto he was sitting. Have we not learned in a Mishna (in Sotah) that nobody might sit in the Temple, except kings who are descendants of David? Said R. Hisda: He was then in the women's court, and there all could sit. It is written: [Nehem. viii. 6]: "And Ezra blessed the Lord, the great God." Why is the epithet "great" employed here? Said R. Joseph in the name of Rabh: He then magnified him by calling him expressly "Jehovah." R. Gidel said: By saying as it is written [1 Chron. xvi. 36]: "Blessed be the Lord the God of Israel from everlasting even unto everlasting." Said Abayi to R. Dimi: Why not as R. Jose said in Rabh's name? R. Dimi answered: Because "Jehovah" must not be pronounced outside of the Temple.

Is that so? Is it not written [Nehem. viii. 4]: "Ezra the expounder stood upon an elevated stand of wood," and R. Gidel has said, he then pronounced the name "Jehovah"? This was only because on that occasion Ezra allowed himself to use it, as he deemed it necessary. It is written [ibid. ix. 4]: "They cried with a loud voice unto the Lord." What did they say? They cried: "Woe! Woe! The tempter to idolatry has destroyed the Temple, has killed all the just men, and exiled Israel from their land, and we see him yet among us. Why hast thou created the tempter? To reward us more for overcoming him. We wish neither him nor the greater rewards." Then fell down a billet from Heaven, whereon was written: "Emeth" (Truth). [Says R. Hanina: Infer from this that the seal of the Holy One, blessed be He, is "Truth."] They fasted three days and three nights. Then he (the evil spirit) was delivered into their hands. So they saw how a lion-cub of fire went out from the Holy of Holies. Then the prophet said to them: "Here is the evil spirit of idolatry." As it is written [Zechariah v. 8]: "This is the wickedness." They caught him. When a hair was torn out from his mane, he issued a cry which was heard at the distance of four hundred *parsas*. They said: If he cries so loud, what can we do to him? Lest he be pitied in Heaven, what shall we do that his voice be not heard? They were then advised to throw him into a leaden pot, as lead muffles the voice. They put him into a leaden pot, and covered it with a leaden lid, as it is written [ibid.]: "And he said, this is the wickedness. And he cast it into the midst of the ephah, and he cast the weighty lead cover upon the mouth thereof." (And since then idolatry ceased

among Israel.) They said: Since it is a time of favor (from Heaven), they would pray that the tempter to fornication be delivered to them too. They prayed, and he was delivered to them. It was said to them: "Take heed. If ye kill this spirit, the world will perish." They kept him imprisoned three days. They sought in all Palestine an egg laid on that day. They could not find. They said among themselves: What shall we do? If we will kill him, the world will perish. Shall we pray for the half (that desire should exist only in legal cases)? We have a tradition that a half is not given from Heaven; so they put out his eyes, and left him. The good result was, that since then he does not excite desire toward relatives.

In Palestine they learned it thus: R. Gidel says: "Great," because he pronounced the express name of God. R. Mathna says: What is written "the great," means that he said [Nehem. ix. 32]: "Our God the great, the mighty, and the terrible." But what R. Mathna had said, will be according to R. Joshuah b. Levi, who said: Why was it called the Great Assembly? Because they restored the old crown. What is it? Moses had said [Deut. x. 17]: "The God, the great, the mighty, and the terrible." Then rose Jeremiah and said: The idolaters are destroying His Temple. Where is His terribleness? So he said only "the great, the mighty," omitting "terrible." Then came Daniel, and said: The idolaters keep as slaves His children. Where is His might? So he omitted "mighty." Then came the men of the Great Assembly, and said: On the contrary, this is His might, that He is patient toward the wicked. And this is His terribleness, that if men had not felt His terror, how could such a small people (as Israel) keep itself among so many peoples of idolaters? Therefore they introduced again the phrase, "the God, the great, the terrible, the mighty." And the rabbis (Jeremiah and Daniel), how did they dare to modify what Moses had established? Says R. Elazar: Because they knew the Holy One, blessed be He, loves truth. So they did not wish to lie to Him, to tell Him what they did not think.

"*More than what I have read to you*," etc. To what purpose did he say so? That the scrolls he used should not be said maliciously to contain only that which he read (and be invalid).

"*He reads by heart.*" Why? Let him have found the place in the scrolls? In honor of a congregation, it is not made to wait till the scrolls should have been unrolled for that purpose. Let him have used other scrolls? This they did not, because if they

brought other scrolls, it might be said, the first scrolls were invalid. So says R. Huna b. Jehudah. But Resh Lakish says: In that case, a second benediction would have had to be pronounced (over the new scrolls). Do we fear lest it be said that the scrolls are invalid? Did not R. Itz'hak of Naph'ha say: That when the first day of the month Tebeth falls on Sabbath, three scrolls have to be taken out: one for the section of that week, one for Hannkah, the third for the first day of the month? When three persons read in these scrolls, it is not feared; but when one man reads in two, it may be said he does not read in the first because the first is invalid.

"*Pronounces over it eight benedictions.*" The rabbis taught: Over the scrolls as in the synagogue, over the service, over the thanksgiving, the atonement of iniquity as it has been ordered in the prayer of the Day of Atonement, over the Temple by itself, over the priests by themselves, over Israel by itself, and over the rest of the prayer. The rabbis taught: What is meant by the rest of the prayer? Songs, prayers: "We supplicate before (to) Thee for Thy people Israel, who need help," and concluding, "Blessed be he who heareth prayer." After this, every one brought a scroll of the Torah from home and read it for himself. Why did they bring them? To show to the whole world that they had scrolls (and loved religion).

"*He who sees the high-priest reading,*" etc. Is this not self-evident? We might think, lest one assume one may not pass from place to place in search of religious duties, he comes to teach us that it is not so. And what merit is there? Because it is written [Prov. xiv. 28]: "In the multitude of people is the king's glory."

MISHNA: If he read in linen garments, he washed his hands and feet, stripped himself, and went down to bathe, came out and dried himself with a sponge. Garments of cloth of gold were brought to him, he put them on, washed his hands and his feet, he went out and performed the rites on his ram, and the ram of the people, and the seven unblemished sheep, of one year—according to R. Eliezer. R. Aqiba says: They were offered with the daily sacrifice of the morning; and the bull for the burnt-offering and the he-goat used outside, were offered with the daily sacrifice of the evening. He washed his hands and feet, undressed, went down to bathe, came up and dried himself. White clothes were brought to him, he put them on, washed his hands and feet, he went in to fetch the spoon and the censer.

He washed his hands and his feet again, stripped himself, went down, bathed, came out and dried himself. Garments of cloth of gold were brought to him, he put them on, washed his hands and feet, and went in to offer the incense of the evening, and to trim the lamps. He then washed his hands and feet, stripped himself, put on his own clothes—which had been brought to him—and was accompanied to his own house. He then used to keep the day as a holiday with his friends, when he had come away from the Holy of Holies unhurt.

GEMARA: The disciples of Samuel taught: R. Eliezer said: He went out, and performed the rites on his ram, and the ram of the people, and the members of the sin-offering. But the bullock of the burnt-offering, and the seven sheep, and the he-goat that was used outside, were offered together with the daily evening offering. In a Tosephtha it was taught: R. Aqiba said: The bullock of the burnt-offering and the seven sheep were offered with the daily morning offering, as it is written [Num. xxviii. 23]: "Besides the burnt-offering of the morning, which is for a continual burnt-offering." And then he made the offerings of this day, and then the he-goat used outside, as it is written [Num. xxviii. 11]: "One he-goat for a sin-offering, besides the sin-offering of the atonement"; and then he offered his ram, and the people's ram, the members of the sin-offering, and then the daily evening offering.

We see that all agree, that there was but one ram for the people; and this would be according to Rabbi of the following Boraitha: Rabbi said, the one ram mentioned here [Lev. xvi. 5] is the same as is mentioned in Num. xxix. 8. And R. Elazar b. R. Simeon says: Two were needed: one mentioned in Leviticus, the other in Numbers. What is the reason of Rabbi's saying? Because it is written "one." What will R. Elazar b. R. Simeon say to this? That signifies, the only one (best) in his flock. Rabbi, however, says: There is no need to state it, as it has already been mentioned [Deut. xii. 11]: "Your choice vows." According to R. Elazar b. R. Simeon, both statements are needed, because there it is only spoken of voluntary offerings.

"*He washed his hands and feet.*" The rabbis taught: It is written [xvi. 23]: "And Aaron shall then go into the tabernacle of the congregation." Wherefore? To take out the spoon and the censer. Why? Because the whole section follows the order of his rites, except this verse. What is the reason of say-

ing that this verse applies to the taking out of the spoon and censer? Said R. Hisda: It is known to us traditionally, that five bathings and ten times of washing the high-priest performed that day. If thou wilt say, that this verse is not in a wrong place—namely, that no service done outside in the garments of cloth of gold would intervene between the day service (done in white) and the carrying out of the spoon and censer—then you would not find five and ten, but three and six. R. Zera opposed: Perhaps it was intervened by the he-goat used outside. Said Abayi: Because it is written [ibid. 24]: "And come then forth and offer his burnt-offering," we infer that after the first coming forth he offered the burnt-offering (that goat). Then we must say that the spoon and censer he had not yet carried out, else it would be his second coming forth.

When the conductor of the scapegoat returned, if he met the high-priest still in the street, he said to him: "My lord the high-priest, we have done thy commission"; but if he came to his house (on the morrow), he used to say to him: "We have done the commission of Him who giveth life to all living." Rabba said: In Pumbaditha, when the rabbis took leave, they said: "He who giveth life to all the living should give thee long good, and orderly life."

It is written [Ps. cxvi. 9]: "I will walk before the Lord in the lands of the living." (What is meant by the lands of the living?) Said R. Jehudah: The market-places (where food is purchased). Rashi explains this, as to a "long life." This is mentioned, and as for the markets, David persecuted by Saul prayed to be able to go to the markets to buy food.

It is written [Prov. iii. 2]: "For length of days, and years of life, and peace, will they increase unto thee." What means "years of life"? Are there any years not of life? Said R. Elazar: Those are the years of man when his circumstances change from evil to good. Said R. Brachia: It is written further [ibid. viii. 4]: "Unto you, O men,* I call." By this scholars are meant, who are weak like women, and perform feats as men. R. Brachia said again: He who wishes to bring a drink-offering on the altar should let scholars drink wine (which will be just as good). The same says again: When a man sees that learning has forsaken his sons, he should marry a scholar's daughter. As it is written [Job xiv. 8, 9]: "If even its root become old in the earth, and

* Men is in Hebrew here אישים (not אנשים), as if the plural of אשה—woman.

its stock die in the dust: yet through the scent of water will it flourish again, and produce boughs as though it were newly planted."

"*He then used to keep the day as a holiday.*" The rabbis taught: It happened to one high-priest going out from the Temple, and the whole world accompanying him, that they perceived Shemaia and Abtalian: the people then left the high-priest alone, and accompanied Shemaia and Abtalian. Later, Shemaia and Abtalian came to take leave of him. He answered them: May the children of the Gentiles (they were proselytes' descendants) go in peace. They replied to him: The children of the Gentiles may go in peace, because they do what Aaron the high-priest did; but the children of Aaron may not have peace, who do not what Aaron did (love not peace).

MISHNA: The high-priest ministers in eight articles of dress; a common priest in four: in a robe and breeches, a mitre and a girdle. To the high-priest's are added: a breastplate and an ephod, and a coat and a *tsits* [plate on the forehead, Ex. xxviii. 36]. The Urim and Tumim were inquired of only when he was thus attired; but inquiries were not made for a common man: only for the king, the chief of the Beth Din, and for a person of whom the public had need.

GEMARA: The rabbis taught: The stuff, which should be made according to the prescription of the Bible, of linen, should be six times *twisted.* Where twisted linen is prescribed, it should be eightfold twisted. The material of the robe of the high-priest was twelve times twisted; that of the vail, twenty-four; and that of the breastplate and ephod, twenty-eight. How do we know that an ordinary thread is six times twisted? Because it is written [Ex. xxxix. 27, 28]: "And they made the coats of linen . . . the mitre of linen, and the goodly bonnets of linen, and linen breeches of twisted linen thread." Five times "linen" is mentioned: once, to know that it is linen; the second time, that it be twisted six times; once, that it should be twisted; and once, that even the articles of dress of which it is not said "linen" should be of linen; the fifth time, to prohibit (those not of linen).*

How do we know that "Shesh" means "linen"? Because it is written "bad" (in some places, as equivalent to "Shesh") which signifies "only," and flax grows single from the reed in

* *Shesh* (linen) means also *six.*

the middle, not in branches. Perhaps wool found between the tree and bark is meant? That can be separated into threads, but flax can not. But flax can also be separated? Flax can be separated when it is beaten, but that material can be so spontaneously. Rabhina says: Because it is written [Ezek. xliv. 18]: "flaxen bonnets," and "flaxen breeches." Said R. Ashi to him: If thou adduce the proof from Ezekiel, how did they know it before Ezekiel? They had a tradition. Ezekiel wrote a verse. How do we know that "twisted linen" is eight times twisted? Because it is written [Ex. xxxix. 24]: "They made upon the lower hem of the robe pomegranates of blue, and purple, and scarlet yarn, twisted." Hence we deduce from an analogy of expression in another place (of the vail), by "twisted" twenty-four times is meant, so here, the thread of each kind being eight times twisted. How do we know that that of the robe should be of threads twelve times twisted? Because it is written [ibid. xxviii. 31]: "And thou shalt make the robe of the ephod altogether of blue woollen yarn." Here it is also inferred from an analogy of expression, as "blue" is mentioned speaking of the value also, as there every thread was six times twisted (since four kinds were twenty-four), so here, since it is written "altogether," it should be two times six. How do we know that the vail was of a material of threads twenty-four times twisted? Because it was of four kinds, and that each should not be less than six times twisted, it is unnecessary to deliberate upon. How do we know that that of the breastplate and ephod was of threads twenty-eight times twisted? Because it is written [Ex. xxviii. 15]: "And thou shalt make the breastplate of judgment of weavers' work; after the work of the ephod thou shalt make it: of gold, of blue, of purple, and scarlet yarn, and twisted linen, shalt thou make it." Four kinds, each sixfold, is twenty-four; and the gold four times, this makes twenty-eight. How is it known that the gold is four times? Perhaps also six times? Said R. Ashi: Because it is written [ibid. xxxix. 3]: "To work it in the blue and in the purple." Therefore it must be at least thinner than those threads.

Re'haba said in the name of R. Jehudah; He who tears the priestly garments, receives stripes, as it is written [ibid. xxviii. 32]: "That it be not rent."

R. Eliezer said: He who takes off the breastplate from the ephod, or the staves from the ark, receives stripes, as it is written [ibid. xxviii. 28]: "That it be not loosed," and [ibid. xxv.

15]: "They shall not be removed therefrom." We have learned also in a Boraitha: It is written [ibid.]: "In the rings of the ark shall the staves be." We might think they must be always there, and may not be moved. Therefore it is written [ibid. 14]: "Thou shalt place the staves into the rings." From the expression, "place the staves into the rings," we might think that as they are placed there, they may be removed thence also. Therefore it is written, "In the rings of the ark shall the staves be." How is it then? They may be drawn out, but not wholly taken out (as their heads were too thick). R. Huma b. R. Hanina said: It is written [ibid. xxvi. 15]: "The boards for the tabernacle of Shittim wood, standing up." What means standing up? They shall be standing up as they grow. Re'haba said in the name of R. Jehudah: Bezaleel made three arks: the middle one was wooden, nine spans high; the one inside was of gold, and eight spans high; that outside was also of gold, and ten spans and odd high—nine, like the middle one, and a span and a trifle over, to screen it. We have learned in another Boraitha that it was eleven and a trifle? It presents no difficulty. This is according to one who says, the gold on the top was a span thick; and he who says it was ten, says it was not a span thick. Why was the fraction needed? That it should seem like a small crown on the top of the ark under the mercy-seat.

R. Johanan said: There were three crowns: one of the altar, one of the ark, and one of the table. Of the altar, called "the Crown of Priesthood," Aaron was privileged to receive; of the table, that of royalty, David received; that of the ark, called "the Crown of Learning," is yet to be bestowed. Shouldst thou say it is not valuable? therefore it is written [Prov. viii. 15]; "Through me do kings reign."

It is written [Ex. xxv. 11]: "Within and without shalt thou overlay it" (the ark). Says Rabba: It can be inferred from this, That a scholar whose inside is not like his outside is no scholar. Abayi, according to others Rabba b. Ulla, says: Not only is he no scholar, he is even called "corrupt," as it is written [Job xv. 16]: "How much more abominable and corrupt the man who drinketh like water wrong-doing." R. Samuel b. Na'hmain in the name of R. Jonathan said: It is written [Prov. xvii. 16]: "Wherefore is the purchase-money in the hand of a fool to acquire wisdom, seeing he hath no heart." Woe to the scholars who study the Law, and have no fear of Heaven! Said Rabba to his disciples: I pray you, that ye may not inherit

two hells (he who studies and is yet wicked, has a hell on earth, and yet will have hell after his death). R. Joshua b. Levi said: It is written [Deut. iv. 44]: "This is the law which Moses set." If he has merited, it becomes to him a medicine of life; if not, it becomes to him a poison. And this is the same which Rabba has said above (about the two hells). R. Samuel b. Na'hmain in the name of R. Jonathan finds a contradiction of the following two passages: It is written [Ps. xix. 9]: "The precepts of the Lord are upright, rejoicing the heart," and [ibid. xviii. 31]: "The word of the Lord is tried." There is, then, a contradiction. Here it is said, it rejoices, and there, it is trying? If he has merited, it rejoices him; otherwise, it is a trial to him. Said Resh Lakish: This we may infer from the same passages: "He is a shield to all those that trust in him." If he merits, it tries him, to enable him the better to live; if he does not merit, his trials kill him. It is written further [ibid. xix. 10]: "The fear of the Lord is pure, enduring forever." Said R. Hanina: That signifies, a man who studies the Law when he is pure. What is meant by pure? When he has first married a wife, and then studies. It is written [ibid. 8]: "The testimony of the Lord is sure." Said R. Hiya b. Abba: The Torah is itself a trusted witness against the students (about the manner in which they had studied it).

"*The Urim and Tumim were inquired of*," etc. When R. Dimi came from Palestine, he said: The clothes which the high-priest wore, the priest anointed for war could also wear. Whence is it deduced? Because it is written [Ex. xxix. 29]: "And the holy garments belonging to Aaron shall be for his sons after him." What is meant by "after him"? Next to him in office, and that was the one anointed for war.

R. Adda b. A'hba, according to others K'di objected: We have learned in a Boraitha: Shall we assume that the son of the priest anointed for war shall succeed to the office of his father, as the high-priest's son does? Therefore it is written [Ex. xxix. 30]: Seven days shall that one of his sons put them on who is to be priest in his place, who is to go into the tabernacle of the congregation. That means, he who is fit to enter the tabernacle of the congregation on the Day of Atonement, which is the high-priest. (If it be according to R. Dimi, that the eight garments of the high-priest may be used by the priest anointed for war during the whole year, and that hence he is also fit to enter the tabernacle of the congregation, why should

the Boraitha say it is only the high-priest?) Said R. Na'hman b. Itz'hak: This is meant. "Who is to go into the tabernacle of the congregation" means, him who has been anointed for this, whereas that one has been anointed for war.

An objection was raised: We have learned: The priest anointed for war may neither put on the four garments, like a common priest, nor the eight, like the high-priest. Said Abayi to R. Na'hman: Do you want to make of him a layman? The Boraitha means this: Like a high-priest he is not attired, to prevent rivalry; and not like a common priest, because of the rule: In holiness one increases, but does not decrease. As while anointed for war he had eight garments on, he cannot be degraded to the level of a common priest. R. Abahu was sitting, and said the Halakha of R. Dimi in the name of R. Johanan: R. Ami and R. Ashi turned away their faces from him (to indicate that R. Johanan had not said it). When Rabbin came from Palestine, he said; It has not been said that the priest anointed for war may put on the garments, but only when he goes to consult the Urim and Tumim. We have also learned the same in the following Boraitha: The garments in which the high-priest performs the service may be used by the priest anointed for war when he consults the Urim and Tumim.

The rabbis taught: How was the ceremony of inquiring of the Urim and Tumim? The inquirer turned his face toward the priest (who inquires), but the priest's face is turned toward the Shekhina. The inquirer asks, as *e.g.* in 1 Samuel xxx. 8: "Shall I pursue after this troop?" And the priest answers him: "So has said the Lord. Go, and thou wilt succeed." R. Jehudah, however, said: He need not say: "So has said God." He has only to say: "Go, and thou wilt succeed."

One must not ask in a loud voice, as it is written [Num. xxvii. 21]: "And he shall ask of *him*"; no one else need hear. He should not have the question merely in his mind either, because it is written: "He shall ask of him before the Lord." (How shall he speak?) He shall ask as Hanna prayed [1 Sam. i. 13].

Two inquiries should not be made at once; and if he has made two inquiries, only one is answered, and the first. As it is written [ibid. xxiii. 11, 12]: "Will the men of Ke'ilah surrender me into his hand? Will Saul come down?" etc. And the Lord said: "He will come down." But you have said, Only the first question is answered? David asked them in a wrong

order, and he was answered in the right order. Then, when David perceived this, he asked the second question: "Will the men of Ke'ilah surrender me and my men?" And he was answered: "They will surrender." When, however, two questions must be asked at once, else it cannot be clearly understood, then the two questions are both answered. As it is written [ibid. xxx. 8]: "Shall I pursue after this troop? shall I overtake them?" And the reply is: "Pursue, for thou wilt surely overtake them, and certainly recover." And although the decision of a prophet can be revoked, the decision of the Urim and Tumim cannot be changed, as it is written [Num. xxvii. 21]: "The judgment of the Urim."

Why were they called Urim and Tumim? *Urim*, because they illuminate their words; *Tumim*, because they give a *complete* answer. It will be asked, Why were the Israelites beaten by the Benjamites of Gib'ah, though bidden to go to the battle by the Urim and Tumim? Because those people did not think to ask whether they would be victorious or defeated. They were answered, "Go," and they were beaten; but later, when they understood how to inquire, they received a right reply, as it is written [Judges xx. 28]: "And Phinehas the son of El'azar, the son of Aaron, stood before it in those days, saying: Shall I yet continue to go out to battle with the children of Benjamin my brother, or shall I forbear? And the Lord said: Go up, for to-morrow will I deliver him into thy hand."

How did the priest receive the reply? R. Johanan says: The letters constituting the reply became more prominent. Resh Lakish says: Nay, the letters composing the words came near each other. In the Urim and Tumim were only the names of the tribes, hence there was not the letter Tsadhe. Said R. Samuel b. R. Itz'hak: The names of "Abraham," "Itz'hak," and "Jacob" were also written there. But there was not the letter Teth? There were likewise the words "Shibtei Jeshurun" ("The Tribes of Israel": hence there was a *t*). An objection was raised: We have learned that a priest on whom the Shekhina does not rest, and is not inspired by the Holy Spirit, need not be inquired through. (How, then, is it said, the letters projected, or arranged themselves together?) Why? We see that when Zadok inquired he was answered, and Ebiathar received no reply, as it is written [2 Sam. xv. 24]: "And Ebiathar went up, until all the people had finished passing out of the city." "Went up." He resigned. The Holy Spirit enabled him to

perceive the letters that projected, which he could not do otherwise.

"*Inquiries are not made except for a king.*" Whence do we deduce this? Said R. Abahu: As it is written [Num. xxvii. 21]: "Before Elazar the priest shall he stand, and he shall ask of him after the judgment of the Urim before the Lord . . . he and all the children of Israel with him." "He" means the king, and all Israel "with him" means, the priest anointed for war; and all the congregation means, the Sanhedrin.

CHAPTER VIII.

REGULATIONS CONCERNING THE FASTING ON THE DAY OF ATONEMENT, WHAT MAY BE DONE THEREON, AND WHAT MAY NOT BE DONE.

MISHNA: On the Day of Atonement it is forbidden to eat and to drink, to wash, to anoint, to lace on shoes, and to hold sexual intercourse. A king and a bride may wash their faces; and a lying-in woman may lace on shoes. Such is the decree of R. Eleazar. But the sages forbid it. Whosoever eats food to the size of a large date—that is, the date with the kernel—or drinks a mouthful, is guilty. All kinds of food are reckoned together to the size of the date, and all liquids to the mouthful; but food and beverages are not reckoned together.

GEMARA: In the Torah it is written, *Karoth* is the penalty; and you say, merely, it is forbidden? [Lev. xxiii. 29]. Said R. Ila, according to others R. Jeremiah: What is said in the Mishna, "forbidden," applies to half of the prescribed quantity. This would be right according to him who says that half of the prescribed quantity is biblically forbidden, but of him who says that it is biblically allowed, what can you say? Then it was taught: A half of the prescribed quantity, R. Johanan says, is prohibited biblically; and Resh Lakish says: It is allowed biblically. Then the Mishna would be according to R. Johanan. But of Resh Lakish what can be said? Resh Lakish avows, that rabbinically it is prohibited. When it is said in the Mishna "forbidden," it is meant, forbidden rabbinically.

When *Karoth* is the penalty, is not the term "prohibited" employed? We have learned in the following Boraitha: Although the sages have said that it is prohibited in all regards, *Karoth* is due only for eating, drinking, and work. We see, then, that even when *Karoth* is the penalty, the term "prohibited" is employed? The Boraitha meant to say as follows: When the Mishna says "prohibited," it is meant for the half of the prescribed quantity; but if he has eaten the prescribed quantity, *Karoth* is due for eating and drinking, and work; but

not for the other actions. If you wish, I can say, when it is stated in the Mishna "prohibited," the *other* actions only are meant (hence *Karoth* is not due). Rabba and R. Joseph taught from the books of the Pentateuch other than Leviticus, as follows: Whence do we deduce that on the Day of Atonement one must not wash, anoint, lace on the shoes, and have sexual intercourse? Because it is written [Lev. xvi. 31]: "A Sabbath of rest, and ye shall afflict yourselves." What is meant by rest? Desisting from washing, anointing, etc. The text above states: Half of the prescribed quantity is biblically forbidden, according to R. Johanan? Why? Because if he will eat twice the other half, he will have eaten the whole. Resh Lakish says: The Merciful One has said "eat," and this is not called "eating."

The rabbis taught: It is written [ibid. 29]: "Ye shall afflict yourselves." Shall we assume that he should go and sit in the sunshine or in the cold, to cause himself suffering? Therefore it is written: "No work shall ye do." As about the work the prohibition is negative, so the affliction is meant to be only negative; *i.e.*, abstinence. But perhaps it is meant thereby, if he sits in sunshine or in shade, and feels too hot or too cold, they should not say to him: "Remove from this place," that he might suffer? The affliction is compared to the work: as in case of the work it matters not in which place it is, so in case of the affliction.

The disciples of R. Ishmael have taught: It is written here, "affliction," and it is written further, "affliction" [Deut. viii. 3]: ("He afflicted thee and suffered thee to hunger"). As there by affliction hunger is meant, so here. If he deduces it from an analogy of expression, let him deduce it from the expression [Gen. xxxi. 50]: "If thou shouldst afflict my daughters." It is deduced from an affliction suffered spontaneously (as hunger), but not from affliction inflicted by men.

It is written [Deut. viii. 16]: "Who hath fed thee in the wilderness with manna, which thy fathers knew not, in order to afflict thee." What was the affliction? R. Ami and R. Assi said—the one, that not to have bread ready in one's basket is an affliction, whereas the manna had to be hoped for every day; and the other says, not to see what one eats (the manna) is an affliction. (The manna had all flavors at will, but not the *appearance* of all foods whose flavors it had.) Said R. Joseph: Infer from this, that the blind are never satiated. Says Abayi: He who has to eat, therefore, should eat only by day, and not

by night. Said R. Zera: How can it be inferred from Scripture? From Ecc. vi. 9: "Better is what one seeth with the eyes than the wandering of desire." It is written [Prov. xxiii. 31]: "When he glances into the cup, it goes down smoothly." R. Ami and R. Assi said—the one, that then (when he is drunk) all blood-relations are forgotten by him; and the other says, that the whole world seems to him alike (he does not distinguish between his own and others' property). It is written [Prov. xii. 26]: "If there is care in the heart of a man, he shall suppress it." Said R. Ami and R. Assi—the one, he should suppress it, by driving it out of his thoughts; and the other, by relating about it to another person.

It is written [Is. lxv. 25]: "The serpent dust shall be his food." R. Ami and R. Assi said—the one, that whatever he eats, he tastes the flavor of earth; and the other, that whatsoever he should eat, he is not filled, unless he eats earth after it.

We have learned in a Boraitha: R. Jose said: Come and see. The visage of the Holy One, blessed be He, is not like that of a human being. When a human being incenses another, the latter tries to embitter his life; the Lord, when He cursed the serpent to eat earth, the serpent finds his food wheresoever he goes. He cursed Canaan, that it should be subjected: so it eats what its master eats, and drinks what its master drinks. He has cursed woman, and all run after her. He has cursed the earth, and the world is nourished by it.

It is written [Num. xi. 3]: "We remember the fish which we ate in Egypt." Said Rabh and Samuel—one, that simply fish is meant; and the other, licentiousness (since forbidden by the commandments). He who says "fish," says it is plainly mentioned "ate"; and the other, who says licentiousness is meant, proves it from Proverbs xxx. 20: "She eateth, and wipeth her mouth."

We have learned in a Boraitha: R. Jose said: As the prophet told the Israelites all that passed in their dwellings, and the very nooks, so the manna betrayed all their secrets. How so? For instance, two came to Moses, and one said: "He has stolen my slave," and the other said: "You sold him to me." Moses said: "In the morning we will decide it." On the morrow, if the Omer of manna for the slave was found for the one, it was a sign that the slave had been stolen; but if for the other, it was evident that he had bought him. If one came and impeached his wife of adultery, and she charged him with that crime, then

the Omer decided. If her Omer was found for her husband, it was evident that she had sinned; if for her father, it was plain that he had sinned.

Three verses are written [Num. xv. 9]: "When the dew fell upon the camp in the night the manna fell upon it"; and [Ex. xvi. 4]: "The people shall go out, and gather"; and [Num. xi. 8]: "The people went about, and gathered it." How shall the three verses be reconciled? This is meant: For the upright, the manna came down at the door of their tents; for the general, they went out and found it; the wicked had to seek it, till they found it.

In Exodus it is written, "bread from heaven"; and [Num. xi. 4], "made cakes of it"; and [ibid.] "ground it." How shall these be reconciled? For the righteous, there was bread ready; as for the general, they made cakes of the flour; and the wicked had to grind it. It is written [Num. xi. 8]: "Its taste was as the taste of cakes mixed with oil." Said R. Abahu: As the milk of its mother has various flavors for the infant, so the manna, so long as the Israelites ate it, had for them all flavors.

It is written [Ex. xvi. 8]: "Flesh to eat, and bread in the morning to the full." It was taught in the name of R. Joshua b. Kar'ha: Because meat they asked for in an unbecoming manner, they did not receive it as was fitting, but bread which they had asked for properly, they had given to them properly. From this verse we can learn that the usage of the world ought to be that meat is to be eaten only by night. But Abayi has said above: He who has to eat a meal, should eat it only by day? He meant, when there is yet light. Said R. A'ha b. Jacob: At first the Israelites were like chickens, which eat out of the rubbish, till Moses came and fixed for them the times for the meals.

It is written "bread," "oil," "honey." What does this signify? For the young it was bread, for the old it was oil, and for the children it was honey.

The rabbis taught: It is written [Ps. lxviii. 25]: "The bread of Abirim did man eat." Said R. Aqiba: That means, the bread that angels eat. It was told to R. Ishmael. He said to them: Go and tell to Aqiba: Thou hast been in error. Do angels eat bread? It is written [Deut. ix. 9]: "Bread did I not eat, and water did I not drink." What, then, means "Abirim"? It is like "Ebrim" (members); it is absorbed by all the two hundred and forty-eight members, and no refuse is left. But it

is written [Deut. xxiii. 14]: "And a spade shalt thou have." Wherefore did they need it? That is because they purchased from the Gentiles other foods also. R. Eliezer b. Parta, however, said: Even what they bought from the Gentiles, the manna dissolved. The above verse applies to the time after they had sinned.

"*Forbidden to eat.*" To what do these five modes of affliction correspond? Said R. Hishda: To the five kinds of affliction found in the Torah: namely [Num. xxix.], "and on the tenth"; [Lev. xxiii.] "but on the tenth"; [ibid.] "a Sabbath of rest"; and [ibid. xvi.] "and a Sabbath of rest"; and [ibid.] "may it be to you." Here are only five, but in the Mishna we have learned six? Drinking is included in eating, as it is written [Deut. xiv. 23]: "And thou shalt eat . . . thy corn, of thy wine, and of thy oil," etc.

The disciples of R. Simeon b. Johai questioned him: Wherefore did not the manna descend for the Israelites once a year? He answered: I will explain it to you by a parable. There was a king who ordered that the rations of his son shall be issued but once a year; the son, then, came to see his father but once a year, [at which the king became angry, and] ordered again that the rations should be issued daily, so that the son was compelled to see his father every day. So it was with the Israelites. Whoever had four or five children, worried, and said: Perhaps no manna will descend to-morrow, and all will starve. Consequently they prayed to Heaven every day. According to others, the reason is: So they should have it fresh every day; and still others say: So they should not have to carry it on the road.

It happened long ago that R. Tarphon and R. Ishmael and the elders (of the college) were discussing the subject of manna, and R. Eliezer the Modeite, who was among them, arose and said: The manna in the desert was sixty ells high. Said R. Tarphon to him: Modeite, how much longer wilt thou gather nonsensical words, and lay them before us? He rejoined: Rabbi, I take my theory from the following passages [Gen. vii. 20]: "Fifteen cubits above them did the water prevail, and the mountains were (thus) covered." (Now let us see how it was.) Was it fifteen ells above the valleys and fifteen ells above the mountains? Did, then, the water stand like pillars? And, besides, how could the ark ascend the mountains? We must, therefore, say that when all the fountains were broken up,

etc. [ibid. 11], the water covered the earth, until it reached the top of the mountains, and over that the water was fifteen ells high. As we have a tradition, that the kindness of Heaven is much more than its affliction, and as at the affliction it is said [ibid., ibid. 11]: "And the windows of heaven were opened," and at the kindness it is written [Ps. lxxviii. 23]: "Then he ordained the skies from above, and the doors of heaven he opened"; and as we know from another tradition, that a heavenly door is equal in size to four of its windows, consequently there are eight windows in two doors (doors and windows, both plural, not less than two), and as at the affliction from two windows came water fifteen ells above the earth—therefore the manna which came from eight windows cannot be less than sixty ells high.

We have learned in a Boraitha: Issi b. Jehudah says: The manna has increased itself in height till all the kings of east and west saw it, as it is written [ibid. xxiii. 5]: "Thou preparest before me a table in the presence of my assailants."

How is it known that abstaining from washing and anointing is an affliction? Because it is written [Dan. x. 3]: "Costly food did I not eat, and flesh and wine came not in my mouth, nor did I anoint myself." What is meant by "costly food" I have not eaten? Says R. Jehudah the son of R. Samuel b. Shilath: Even bread of pure wheat he did not eat. How do we know it is thought an affliction? Because it is written further [ibid. 12]: "From the first day that thou didst set thy heart to . . . afflict thyself," etc. We have found that abstaining from anointing is an affliction, but how do we know that abstaining from washing is one? Said R. Zutra b. Tubiah: It is written [Ps. cix. 18]: "And it cometh like water within him, and like oil into his bones." But perhaps drinking is meant? It is like oil; as the oil here spoken of is used externally, so the water. If you wish, I will say, that we can infer abstaining from washing, as Itz'hak has said, from this verse [Prov. xxv. 25]: "As cold water is to a fainting soul." Here drinking is perhaps meant? That would be, if it were written "in a faint soul"; but here it is written (in Hebrew), "*on* a fainting soul." How do we know that the privation of shoes is an affliction? Said R. Na'hman b. Itz'hak: From the following passage [Jer. ii. 25]: "Prevent thy foot from being unshod, and thy throat from being thirsty," which means: Prevent thyself from sin, that thy foot be not unshod, and prevent thy

tongue from speaking vain words, that thy throat be not thirsty. How is it known that abstinence from sexual intercourse is called an affliction? Because it is written [Gen. xxxi. 50]: "If thou shouldst afflict my daughters." This means, deprive them of sexual intercourse.

The rabbis taught: It is not prohibited to wash an inconsiderable part of one's body, as the whole body. If one is soiled by clay, or any such thing, he may wash himself without apprehension. One may not anoint a part of the body any more than the whole body. But if one is sick, or has an itch, he may anoint without apprehension. The disciples of Manasseh taught: A woman may wash her hand in water, and present bread to the children, without apprehension. It was said of Shamai the Elder: He was averse to give bread to his children, even with one hand, that he should not wash it; so they decreed that he should feed them with both his hands.

The rabbis taught: When a man goes to receive his father, master, or any superior, he may walk up to his neck in water, without apprehension. The schoolmen propounded a question: How if the Master goes to receive the disciple? Come and hear; R. Itz'hak bar bar Hana said: I have seen Z'eri go in water to R. Hiya b. R. Ashi, his disciple. R. Ashi, however, said: On the contrary, R. Hiya b. Ashi went to meet Z'eri, his Master. Rabha permitted the inhabitants across the river to go through the water to watch their fruit. Abayi said to Rabha: I have a Boraitha in support of what you say. Those who keep fruit, may walk through the water, up to their necks, without fear. R. Joseph permitted the inhabitants of Be Tarbu to walk through water to come to listen to the lecture, and return through the same element. Ahayi said to him: It is right that they should come to the lecture, but why return? He said: If they were not to be allowed to return, they would not come at all. R. Jehudah and R. Samuel b. R. Jehudah stood on the bank of the River Euphrates at the passage to 'Hatzdad. Rami b. Papa stood on the other side. He cried to them: How is the law? may I cross over to you? I have to ask of you a Halakha. R. Jehudah answered: Rabha and Samuel both say one way, but one may not draw away one's hands from the skirts of one's robe (not tuck it up on his back, like a burden). R. Pinchas said in the name of R. Huna of Tziporith: The spring that issued from the Holy of Holies was at first like the antennæ of a grasshopper; by the door of the sanctuary it was like a thread of

the warp; at the porch it was thick as a thread of the woof; at the door of the forecourt it was as broad as the mouth of a small pitcher. [This is what we have learned in a Mishna (Midoth, ii. 4): "R. Eliezer b. Jacob said: Water will issue in the times to come from under the sill of the Temple."] Thenceforth, it waxed in strength, and when it reached the door of David's house, it was like a streaming river, and these people bathed, as it is written [Zech. xiii. 1]: "On that day shall there be a fountain opened to the house of David . . . for cleansing from sins and for purification." Z'irah b. 'Hama was the entertainer of R. Ami, R. Assi, R. Joshua b. Levi and all rabbis of Cæsarea. R. Joseph the son of R. Joshua b. Levi said to him: Young scholar, come, I will tell thee of the good deeds thy father used to do. He had a kerchief which he used to soak in water on the eve of the Day of Atonement, and then used it on the morrow to wipe his face, hands, and feet. On the eve of the Ninth of Ab, he soaked it in water likewise, and on the morrow cleaned his eyes with it. When Rabba b. Mora came from Palestine, he related that on the eve of the Ninth of Ab, he himself was used to soak a kerchief in water, and take it out, putting it under his pillow; on the morrow he used it for wiping his face, hands, and feet. On the eve of the Day of Atonement he did the same thing, wrung it, and on the morrow wiped his eyes with it. Said R. Jacob to R. Jeremiah b. Ta'hlipha: Thou hast related it in the reverse order that on the Day of Atonement the whole face, etc., was wiped. We have objected: On that day it is prohibited to wring it out.

R. Mnashia b. Ta'hlipha said in the name of R. Amram, quoting Rabha bar bar Hana, R. Eleazar was asked, an Elder, who sat in the college, has he to receive permission from the Nassi to declare the firstlings which have got blemishes fit for slaughtering for personal use, or not?* [What was the point of the question the schoolmen have propounded? (Why is the question only about the firstlings? If he has license to decide Halakhas, those about firstlings are included?) The point of the question was this: R. Idda b. Abbin said elsewhere: The matter of firstlings was left to the Nassi, to honor them. But in

* The law of firstlings, after the destruction of the Temple, is as follows: The firstling must be given to a priest, who has to keep it until it gets a blemish. And as he was suspected of making a blemish intentionally, it could not be slaughtered unless examined by the rabbi of the city. The latter, however, has no right to decide such a question unless he gets permission from the Nassi.

this case, when he is an elderly man, and one of the first in the college, must he also receive permission, or not?]

Then R. Zadok b. 'Haluqah arose, and said: I have seen R. Jose b. Zimra, who was an old man and prominent in the college, and he was even a degree higher than the grandfather of our Nassi, and nevertheless he received permission to decide about the firstlings. Said R. Abha to him: The case was not so: R. Jose b. Zimra was himself a priest, and the question that was propounded was this: Shall we assume that the Halakha prevails according to R. Meir, who says, "Who is suspect in a matter, must not decide upon it, nor bear testimony about it," or according to Rabhan Simeon b. Gamaliel, who says, "He is believed in reference to his colleague, but not in reference to himself"? And it was decided then that the Halakha prevails according to R. Simeon b. Gamaliel.

The same propounded another question to R. Elazar: Whether one might put on a shoe made of cork on the Day of Atonement, and R. Itz'hak b. Na'hmain rose, and said: I have seen myself R. Joshuah b. Levi wearing such shoes on the Day of Atonement, and *I* (Rabha bar bar Hana) asked him: How is it, to put on these shoes on a congregational fast for rain? He answered: There is no difference.

The rabbis taught: Children may do all these things, except putting on shoes. Why? Because it will be said: The adults have laced them on their feet. But the same is the case with the other actions? The other are necessary and usual, but a child is usually barefooted; and if it has shoes, the adults put them on its feet. As Abayi said: My mother told me that warm water and oil, for a child, is good for its growth, and also eggs and Kutah (see Pesachim, p. 68, foot-note), and also objects to break, as Rabha used to buy cracked clay vessels, and gave them to his infants, that they might break them.

"*A king and a bride may wash their faces.*" Our Mishna is in accordance with R. Hanania b. Thradian of the following Boraitha: A king and a bride may not wash their faces. R. Hanania b. Thradian says in the name of R. Elizer: They may. A lying-in woman may not put on shoes. R. Hanania b. Thradian says she may. Why may a king? Because it is written [Is. xxxiii. 17]: "The king in his beauty shall thy eyes behold." And why a bride? Because she will otherwise displease her husband. Rabh asked R. Hiya: How long is she called a "bride"? He replied: This is as we have learned in

the following Boraitha: A bride may not be forbidden to put on even her ornaments, when she is a mourner, the first thirty days after her marriage. And why may a lying-in woman put on shoes? Because otherwise she will catch cold. Said R. Samuel: Where there is a danger of snakes, or scorpions, all may put on shoes.

"*Whosoever eats food to the size of a large date*," etc. Said R. Jehudah: The size of a large date exceeds that of an egg, and it was certain to the rabbis that with such a quantity of food one might appease his hunger, but not with less. An objection was raised: We have learned in a Boraitha: What is the prescribed quantity of the food of a man who may join the three men necessary to say the blessing after a meal? The size of an olive. So is the decree of R. Meir. R. Jehudah says: The size of an egg. Because it is written [Deut. viii. 12]: "Thou hast eaten, and art satisfied"; and by food less than the size of an egg we cannot appease hunger. We see, then, that R. Jehudah says: One can be satisfied by food the size of an egg. Why does he say, above, of a large date? Therefore we must say, R. Jehudah must have said a large date is somewhat smaller than an egg. With food the size of an egg, one may be *satisfied;* but in this case one can still appease *hunger* with food to the size of a large date.

We have learned in a Boraitha: Rabbi said: All prescribed quantities are only of the size of an olive, except in case of defilement of eatables, about which Scripture has deviated from its rule. Therefore the sages have also altered this prescribed quantity, and a proof of this is the Day of Atonement. How has Scripture deviated in regard to them? It has said [Lev. xxiii. 29]: "Every soul that will not afflict itself." The sages have altered in this case the prescribed quantity by making it as a large date. Why could he say, the Day of Atonement is a proof? (We see, as will be written further, that Scripture has deviated in case of defilement also. Why, then, could he say, the Day of Atonement is proof?) The deviation in regard to defilement we might have thought to be the usual language of Scripture. But here, when it is said "shall not afflict itself," it is a deviation, because it might have been said: "The soul that had eaten." (What is it? It was taught:) What is the reason that an eatable subject to defilement must be of the size of an egg? Because it is written [ibid. xi. 34]: "Of all eatables which may be eaten." What is that? What is an eatable which

comes from an eatable? An egg of a hen (which can be eaten itself, as well as the hen).

"*Or drinks a mouthful.*" Said R. Jehudah in the name of Samuel: Not a whole mouthful is meant, but so much as would make the cheek bulge out. But we have learned, a mouth*ful?* Nay, it is meant, *as* a mouthful. The disciples of Zera opposed: Why do they say, about food "the size of a date" (equal for all), and about beverages, "a mouthful" (differing in every person)? Abayi answered: It was certain to the rabbis that food of the size of a date appeases hunger, but only that one's own mouthful of water will quench thirst, not necessarily another's mouthful.

"*All kinds of food are reckoned together to the size of the date.*" Says R. Papa: When one has eaten meat and salt, both are reckoned. And although salt is no food, yet as salt is used with meat, it is also reckoned. Resh Lakish said: The sauce which is upon herbs is reckoned with them. Is this not self-evident? One may say, the sauce is a beverage, and not counted; hence he came to teach, that since it is only made to flavor the herbs, it is reckoned part of the dish. Resh Lakish said again: When one commits an excess in eating on the Day of Atonement, he is not culpable. What is the reason? Because it is written, "They should afflict themselves," and this afflicts him. Said R. Jeremiah in the name of Resh Lakish: A layman who has eaten to excess of the heave-offering must only pay the costs, but not one-fifth more; because it is written [ibid. xxii. 14]: "If a man *eat.*" But eating to excess, to one's hurt, is not called eating.

"*Food and beverage are not reckoned together.*" Who is the Tana who says so? Said R. Hisda, and also Resh Lakish: In this differ the Tanaim, in Tract M'ilah, and our Mishna is according to R. Joshua. R. Johanan says: It may be even according to the rabbis, but there they differ from R. Joshua on the point of defilement, but not from our Mishna, where the question is about appeasing hunger or thirst, for which purposes foods and beverages are not to be reckoned together.

MISHNA: If one has eaten and drunk through forgetfulness, he must bring only one sin-offering. If he has eaten and also done work, he must bring two. If he has eaten food not fit for eating, or drunk liquids not fit for drinking, as brine or fish-lye, he is not guilty.

GEMARA: Resh Lakish said: Why is there no *positive* command to afflict one's self? It is only said: "Every soul that

will *not* afflict itself, will be cut off." It could not be otherwise: If it were written, "shall not eat," instead of "will not afflict itself," then we might think, eating food of the size of an olive was also a sin. Then, should it have been written: "Beware lest you should not afflict yourselves," we might think, beware not to afflict ourselves, but go and eat!—The disciples of R. Ishmael have taught: (It is an analogy of expression.) Here it is written, "affliction," and [Deut. xxii. 24], "because he has afflicted (done violence to; in Hebrew it is the same term) the wife of his neighbor." As the penalty is preceded by a warning previously, so here the penalty (of being cut off) must have been preceded by a warning. R. A'ha b. Jacob says: (There is another analogy of expression.) Here it is written, "A Sabbath of rest," so it is like all Sabbaths; and as in cases of Sabbath there is a warning, so there must have been a warning (positive prohibition) here. R. Papa says: The Day of Atonement itself is considered as a Sabbath, as it is written [Lev. xxiii. 32]: "Your Sabbath." [It is right if R. Papa says differently from R. A'ha b. Jacob, because he does not deduce it, but finds it expressed in the same passage. But why does R. A'ha b. Jacob not say as R. Papa? R. A'ha b. Jacob requires that verse for what we have learned in the following Boraitha: It is written [ibid., ibid.]: "Ye shall afflict your souls on the ninth day of the month." Shall we assume that we should begin to fast on the ninth? Therefore it is written, "at evening." We might think, when it became entirely dark? Hence it is written, "the ninth." How then? One shall begin to fast while it is yet day. From this we infer that something from the profane must be added to the holy. This is when the Day of Atonement arrives, but how do we know that is so when it departs? Therefore it is written, "from evening to evening." This we know about the Day of Atonement, but about other Sabbaths? Therefore it is written further, "shall ye rest" (Tishb'thu). How do we know about other holidays? Because it is written, "your Sabbaths." From this we deduce that whenever "rest" is enjoined, some portions of the profane day must be superadded to the holy days. But that Tana who infers all these things from the following verse [ibid. 28], "No manner of work shall ye do on this same day," that the penalty is due for violating the day itself, but not the additions made thereto, and this above implies that there are additions, what will he make of these verses? He needs these verses for what R. Hiya b.

Rabh of Diphthi has taught, as follows: It is written: "Ye shall fast on the ninth." Do we fast on the ninth? We fast on the tenth. This comes to teach, that he who eats and drinks on the ninth, the verse makes him equal (in merit) to him who would fast the ninth and the tenth.]

"*If he has eaten food not fit for eating.*" Rabha said: If he has chewed pepper or ginger during the Day of Atonement, he is not culpable. The rabbis taught: If he has eaten leaves of *reeds* he is guiltless; but twigs of vines, he is guilty, What is meant by twigs of vines? Said R. Itz'hak of Magdala: Those that flourish between the first day of the year and the Day of Atonement. R. Kahna says: All the thirty days. We have learned in a Boraitha, as R. Itz'hak of Magdala has said: If he has eaten leaves of *reeds* he is guiltless; of twigs of vines, he is guilty. What are twigs of vines? Such as flourish between the beginning of the year and the Day of Atonement.

"*If he has drunk . . . brine as fish-lye.*" How if he has drunk vinegar? He is guilty? We must say our Mishna is according to Rabbi in a Boraitha which says vinegar refreshes a man.

R. Gidel b. Menasseh of Biri d'Narash once lectured: The Halakha does not prevail according to Rabbi: when the Day of Atonement arrived, the whole world mixed vinegar with water, and drank. R. Gidel heard of this; he became indignant. He said: I have said, when it has been drunk already, one is not culpable, but have not recommended it. I meant a little, but did not mean much. I spoke of vinegar, but not of mixed vinegar.

MISHNA: Children are not made to fast on the Day of Atonement, but when one or two years old they are accustomed to do it, so that they become habituated to obey the religious commandments.

GEMARA: If it is stated "two years," *one* is understood? Said R. Hisda: It presents no difficulty. The one applies to a healthy child; the other, to a weakly child. R. Huna said: When the child is eight or nine years old, it may be accustomed to fast some hours. When it becomes ten or eleven years old, it may be made to fast rabbinically the whole day. A girl must fast biblically at the age of twelve. R. Na'hman, however, said: When nine or ten years old—some hours; at eleven or twelve—rabbinically the whole day; at thirteen—biblically, a boy. R. Johanan says: So long as it is rabbinical, they need not fast the entire day. Only at ten or eleven they must be habituated to

fast for hours, and at twelve they must fast the whole day biblically.

MISHNA: A pregnant woman, who longs for food which she smells, should be fed until relieved. An invalid is fed by the direction of persons possessing medical knowledge; if there be none such, he is to be fed at his own desire, till he says, "Enough."

The rabbis taught: If a pregnant woman has smelled sacred meat, or pork, something should be dipped in the sauce thereof, and presented to her mouth. If she is relieved thereby, it is good; otherwise, the sauce must be given to her. If this has not satisfied her either, the meat itself must be given to her. Because nothing is prohibited which is needed to save a life, except idolatry, adultery, and bloodshed.

It happened to a pregnant woman that she smelled food. They came to ask Rabbi. He said: Go, tell her in her ear, To-day is the Day of Atonement. They did thus, and she became composed. Rabbi said of this child the verse in Jeremiah [i. 5]: "Before yet I had formed thee in thy mother's body I knew thee." That child became R. Johanan. The same accident happened to another woman. They came to ask R. Hanina. He said the same; but it availed not. He said of him the verse [Ps. lviii. 4]: "The wicked are estranged from the womb"; and this child became Sabbathai, who used to buy fruits to sell in time of dearth (and this is forbidden in Palestine).

"*An invalid is fed,*" etc. Said R. Janai: When the invalid says, "I must eat," and the physician says he need not, the patient is obeyed. Why? Because it is written [Prov. xiv. 10]: "The heart knoweth its own bitterness." Is this not self-evident? We might think the physician has a better comprehension of the patient's needs. He chooses to teach us; it is not so. How, if the case is reversed? Then the physician is obeyed, because the patient only fancies he does not need to eat.

An objection has been made to our Mishna: If no medical persons are there, he is fed at his own desire. Hence, when there are such, he is not to be fed at his own desire? The Mishna means: When the patient says he does *not* need to eat, then he is not fed at the recommendation of medical persons; but if he says he *does* need to eat, no one is to be consulted.

MISHNA: If a man is seized with bulimy, he may be fed even with unclean food, till his eyes become clear. One who is bitten by a mad dog may not have the dog's midriff above

the liver given to him. R. Mathia b. Harash allows it. Moreover, R. Mathia b. Harash also said: "If a person has a sore throat, it is permitted to put drugs into his throat on Sabbath, because the disease may endanger his life, and whatsoever threatens to endanger life supersedes Sabbath."

If a building tumble down, and it is doubtful whether anyone is buried beneath the ruins or not; if it is doubtful whether he be dead or alive, it is permitted to remove the ruins from above him on the Sabbath. If he be found alive, the ruins are to be entirely removed; but should he be dead, he is to be left there.

GEMARA: The rabbis taught: Till his eyes become clear. How is it known when his eyes are clear? When he regains his reason to distinguish between good and evil. Said Abayi: Good and evil in taste is meant.

The rabbis taught: He who has been seized by bulimy must be fed with less strictly prohibited foods. For instance, if there is grain from which the heave-offering has not yet been separated, and carrion, he must be given the carrion (as for eating the first the penalty is death from Heaven). When there is such grain and grain of a Sabbatical year, he must be given the latter. When there is that grain, and the heave-offering itself, then there is a difference of opinion between the Tanaim of the following Boraitha: They may give him the grain from which the heave-offering has not been separated, but not the heave-offering itself. R. Thema said: The heave-offering, but not that grain. (The heave-offering is less strictly prohibited because a priest may eat thereof, but of other kind even a priest may not eat.)

The rabbis taught: He who is seized by bulimy must be fed on honey, and other sweet things, as these things make the eyes clear. And although there is no support thereto in the Bible, yet it is written in proof of it [1 Sam. xiv. 29]: "My eyes have become clear because I have tasted a little of this honey." Why is this no support? Because Jonathan had not been seized by bulimy. Said Abayi: This must be given after his repast, but if it be given to him before he has received the food, it will only increase his hunger. As it is written [ibid. xxx. 11, 12]: "And they found an Egyptian man in the field, and took him to David, and gave him bread and he did eat; and they made him drink water; and they gave him a piece of a cake of fig, and two clusters of raisins, and he ate, and then his spirit returned

to him, for he had not eaten any bread, nor drunk any water, three days and three nights."

R. Na'hman said in the name of Samuel: He who has been seized by bulimy should be given the fat of a sheep's tail in honey. R. Huna the son of R. Joshua said: Fine flour with honey is also good. R. Papa says, even barley flour with honey.

R. Johanan said: Bulimy once seized me. I ran to the eastern side of a date palm, and ate the dates. I fulfilled in my own person one verse [Eccl. vii. 12]: "Wisdom giveth life to him who possesseth it." [As R. Joseph has taught: He who desires to feel the real taste of dates, should take them from the eastern side of the palm, as it is written [Deut. xxxiii. 14]: "And through precious fruit, brought forth by the sun" (east).]

R. Jehudah and R. Jose were on the road. R. Jehudah was seized by bulimy. He overpowered a shepherd, and robbed him of his bread. Said to him R. Jose: Thou hast robbed the shepherd! When they came to the city, R. Jose was seized by bulimy. He was overladen with food and sweet things. R. Jehudah said to him: I have only robbed the shepherd, but thou —the whole city. It happened again that R. Meir, R. Jehudah, and R. Jose were on the road. R. Meir was particular about the names of his innkeepers, but the other two were not. When they arrived at an inn, they asked the host: What is thy name? He answered: "Kidor." R. Meir thought: He must be a wicked man, because it is written [Deut. xxxii. 20]: "*Ki dor tah puchoth hema*"—"for a perverse generation are they." R. Jehudah and R. Jose intrusted him with their purses for safe-keeping over Sabbath, and R. Meir did not, but hid it in Kidor's father's sepulchre. Then his father appeared in a dream to Kidor, and told him: "Go and take away the purse that is over my head." Kidor rose in the morning, and told everybody of his dream. They said to him: A dream dreamed on the eve of Sabbath has no significance. Nevertheless, R. Meir kept watch over his money the whole day, and by night removed it. On the morrow R. Jehudah and R. Jose required of Kidor their purses. He said to them: You have never given them to me! R. Meir then said to them: Why were you not particular about names? They said to him: Why has the Master not told us about it? He replied: I say, such men ought only to be suspect, but I could not have said with certainty. Finally, they took him to a store. They perceived he had lentils on his mustache. They went to his wife, and told her that her husband had eaten that

day lentils, and she should give them their money. She returned their purses to them, and they went away. He (Kidor) then went and murdered his wife. And this is what a Boraitha states: The failure to wash his hands before the meal caused a man to eat pork (as he was taken for this reason in the inn for a Gentile); and after the meal, caused a murder.

"*One bitten by a mad dog.*" The rabbis taught: Five things have been mentioned as symptoms of a dog's madness: his mouth is opened, his saliva flows, his ears are lowered, and the tail is held between his thighs, and he ever takes the bypaths; and others say, he barks spasmodically. We have learned in a Boraitha: He must be killed by an arrow, or other projectile, for whoever touches him becomes dangerously sick, and who is bitten, dies. What are the remedies? He whose clothes have been touched by the dog, should cast them off, and run away.

R. Huna the son of R. Joshua happened to be rubbed against by a rabid dog; he stripped himself, and ran away, and said: I have fulfilled in my own person the verse: "Wisdom giveth life to him who possesseth it." What is the remedy for a bite? Says Abayi: He should fetch the hide of a hyena, and inscribe on it: "I, So-and-So, son of the woman So-and-So, have inscribed on the hide of a male hyena, I have inscribed on it thus: *Kanti Kanti Qlirus*"; others say: "*Kandi Kandi Qlirus; Yo, Yo, Yehavah Tsebaoth. Amen, Amen. Selah.*" Then he should strip himself of his clothes, and inter them for twelve months; then he should take them out, burn them in an oven, and spread the ashes on the roads. During these twelve months he should drink water only out of copper vessels, that he should not see the image of the dog, as from this he may become dangerously sick. In the case of Abba b. Martha, who is Abba b. Minyumi, to whom this happened, his mother made for him a golden pitcher to drink out of it.

"*R. Mathiah b. Heresh said also,*" etc. R. Johanan had the scurvy. He went to a matron of Rome. She did something to relieve him on a Thursday and the eve of Sabbath. He asked her, What shall I do on Sabbath? She said: You will not need to do anything. He said: But if, notwithstanding, I should be obliged to do something? She said: Swear to me that you will not tell of it to anyone, so I shall tell you. [After this, when she had told him, he went and lectured about it to everybody. But he had sworn not to tell? He had sworn, "To the God of Israel I will not reveal"; but to the people of

Israel he could. But this deception was a profanation of God's name? He had told her immediately thereupon: I had sworn not to say it to God, but to Israel I would. What was it that she told him? Said R. A'ha the son of R. Ammi: Water of leavened dough, olive oil, and salt. R. Yemar says: Not the water, but leavened dough itself, olive oil, and salt. R. Ashi says: Fat of the wing of a goose. Said Abayi: I have used all these things, and was not cured until an Arab merchant said: The stones of olives, one-third grown, should be taken and burned in a new Mar, and be applied to the rows of the teeth. This I have done, and have been cured. What causes such a sickness? Eating of hot wheat bread, or the remains of a dish of *Haisana* (fish fried in oil) from the previous evening. What are its symptoms? When something is put on the teeth they begin to bleed.] R. Johanan did it on the Sabbath and was cured. How did R. Johanan do this? His life was not threatened? R. Na'hman b. Itz'hak said: Scurvy begins in the mouth and ends in the entrails. Said R. Hiya b. Abha to R. Johanan: Do you hold, then, as R. Mathiah b. Heresh, who says: If one has a sore mouth, it is permitted? He said: Yea, for I say, to put drugs into his mouth. In regard to this sickness the sages agree with him, but about other diseases they do not. Come and hear in support of this: Rabba b. Samuel taught: A pregnant woman, who smells food, should be fed till relieved. One bitten by a mad dog should be fed on the midriff of its liver; and he who has a sore mouth may have medicines put into it on Sabbath. So has said R. Eliezer b. Jose in the name of R. Mathiah b. Heresh. And the sages say: In this case, but not other cases. Which case? Should we say, that of the pregnant woman, there are none differing about it; if of the mad dog, they are at variance about it. Hence the putting in of medicines is meant. Said R. Ashi: From our Mishna we can perceive it; for all the things about which the sages and R. Mathiah are at a variance are mentioned before, and then it is said: "R. Mathiah b. Heresh said also," and the rabbis do not differ with him. Now, if it were something from which the rabbis differed, it would be mentioned above, among the other things.

"*Whatsoever threatens to endanger life supersedes Sabbath.*" Why has this to be mentioned again? Said R. Jehudah in the name of Rabh: Not only when it is doubtful whether his life is threatened this Sabbath, but even the next, it is allowed. How

can this happen? *E.g.*, when it has been estimated on a Sabbath that the patient must take the remedy the next eight days, lest it be said: The evening will be waited for; so that only the next Sabbath will have to be violated, it comes to teach us it is not so. We have learned thus in a Boraitha: Warm water has to be heated for a patient, whether for drinking or to wash him, even when the consequences of these measures will be felt the next Sabbath. It should not be said: It will be delayed, perhaps these remedies will not be needful; but immediately he must get them, because the danger to life supersedes Sabbath, not only if the danger is this Sabbath, but *will* be the next Sabbath. But these things must not be done through Gentiles as Samaritans, but the greatest Israelites. But such things must not be done when neither the physician nor the patient says this is necessary, but only women as Samaritans. But their opinion is added to give weight to others' opinions.

The rabbis taught: The Sabbath is superseded when life is threatened; and with more alacrity this is done, the greater the praise. Permission from Beth Din need not be taken for it. How so? When a child is seen to have fallen into the sea, it should be fished for immediately; and the sooner one does this, the more praiseworthy one is; and no permission from Beth Din is to be taken for it, even when he will take up in the net at the same time game fish. If one has seen a child fall into a pit, he may remove a piece of earth to save it the sooner. The more quickly he does it, the more praiseworthy he is, and though he forms by this means a staircase, he need not take license from Beth Din. If he saw a child enter, behind which the door got locked, he should break open the door immediately, and the sooner the better; and he need not take permission from Beth Din, even when by this means he breaks it for kindling. If he has perceived a fire kindled on Sabbath, he should extinguish it immediately; and the sooner the better, and even when the coals he saves from consumption will be used by him later for roasting meat.

"*If a building tumble down.*" How is it to be understood? It is meant to say, that not only when it is doubtful whether one is there, and lives, or is not there; but even when the uncertainty is whether, being there, he lives, or is dead, nevertheless the ruins are to be removed. If he is found alive, the ruins are entirely cleared. Is this not self-evident? The Mishna means to say, when it is known that he is dying, still the ruins are to be removed. If he is dead, he is to be left. Is not this also

self-evident? This is to teach us that it is not according to R. Jehudah b. Lakish of the following Boraitha: Sabbath is not superseded to save a corpse from fire. R. Jehudah b. Lakish, however, said: I have heard, a corpse may be saved from fire, even on Sabbath. But even according to R. Jehudah b. Lakish, a corpse is to be saved only from fire; because otherwise he to whom the corpse is dear will extinguish the fire. But in this case, even when the dead body is dear to him, what can he do (to violate the Sabbath)?

The rabbis taught: When the body under the ruins seems dead, what members are to be brought to light and examined? As far as the nose. Others say, as far as the heart. When it does not beat, he is taken to be dead. But if one has commenced with examining the head and heart, and found them defunct, one should nevertheless bring to light the other parts, and examine them. As it happened, that the upper parts were dead, and yet the lower had still some life, said R. Papa: The sages differ when one has commenced the examination from below upwards; but from above downwards, that is, when the nose has been found to have ceased breathing, no further examination is needed, as it is written [Gen. vii. 22]: "All in whose nostrils was the breath of life." It happened long ago that R. Ishmael, R. Aqiba, and R. Eliezer b. Azariah were on the road; and Levi, the Sadar, or Sarad,* and R. Ishmael the son of R. Eliezer b. Azariah followed them. They were asked the following question: How is it known that, when life is in danger, Sabbath may be violated? R. Ishmael answered: It is written [Ex. xxii. 2]: "If a thief be found while breaking in and be smitten so that he die, there shall no blood be shed for him." We can deduce, *a fortiori*, from this: If in this case, when it is doubtful whether he had come to steal only, or to murder, yet taking his life is permitted, although bloodshed defiles the land and causes the Shekhina to remove from Israel, how much more is violation of the Sabbath (less important than bloodshed) permitted to save a human life.

R. Jonathan b. Joseph says: From the following verse: Of Sabbath it is written [Ex. xxxi. 14]: "For it is holy unto you." *Unto you:* The Sabbath is for you, but not you for the Sabbath. R. Simeon b. Menasseh says: It is written [ibid. 16]: "And the

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* According to one "Aruch," it is the maker of the clothes of service (Bigde S'rad).

children of Israel shall keep the Sabbath." The Torah enjoins thus: Violate one Sabbath, that ye may keep many Sabbaths. R. Jehudah said: Samuel has said: If I had been there, I would have said a thing better than this; namely, it is written [Lev. xviii. 5]: "Ye shall keep my statutes . . . which, if a man do, he shall live by them." He shall live by them, but not die. Said Rabba: All the verses from which they have deduced it may be questioned, but to Samuel's nothing can be objected. Rabbina, and according to others R. Na'hman b. Itz'hak, has said of this: One grain of pungent pepper is better than a whole basket of cucumbers.

MISHNA: Sin-offerings and trespass-offerings atone. Death and the Day of Atonement, if one is penitent, atone. Penitence atones for slight breaches of positive or negative commandments; for grave sins, it effects a suspension, till the Day of Atonement completes the atonement. To him who says: "I will sin, repent, sin again, and repent again," is not given the opportunity to repent. For him who thinks, "I will sin; the Day of Atonement will atone for my sins," the Day of Atonement does not atone. A sin towards God, the Day of Atonement atones for; but a sin towards his fellowman is not atoned for by the Day of Atonement so long as the wronged fellowman is not righted. R. Eliezer b. Azariah lectured: It is written [Lev. xvi. 30]: "From all your sins before the Lord shall ye be clean." (This is our tradition.) The sin towards God, the Day of Atonement atones for; but sins toward man, the Day of Atonement cannot atone for till the neighbor has been appeased.

Said R. Aqiba: Happy are ye, O Israel. Before whom do ye cleanse yourselves, and who cleanses you? Your Father who is in Heaven. For it is written [Ezek. xxxvi. 25]: "Then will I sprinkle clean water upon you, and ye shall be clean"; and it is also written: "The Migveh (hope, or legal bath) of Israel is the Lord." As a legal diving-bath purifies the unclean, so does the Holy One, blessed be He, cleanse Israel.

GEMARA: "*Death and the Day of Atonement*," etc. Only when one is penitent, but otherwise they do not atone? Shall we assume that the Mishna is not in accordance with Rabbi, in the following Boraitha: "Rabbi says: All sins mentioned in the Bible, whether one is penitent or not, are atoned by the Day of Atonement, except throwing off the yoke (of God), expounding the Torah falsely, and abolition of circumcision (and mocking a fellowman). These sins are atoned for by the Day of Atone-

ment, if one is penitent, but not otherwise." It may be said even that the Mishna is in accordance with Rabbi: Penitence is supplemented by the Day of Atonement or Death, but the Day of Atonement does atone alone.

"*Penitence atones for slight breaches, if positive or negative*," etc. Why has it to be told, positive? If negative, so much the more positive? Said R. Jehudah: The Mishna meant to say, a positive commandment, or a negative commandment inferred from a positive. But a real negative commandment is not atoned? There is a contradiction from the following Boraitha: What are called slight sins? A breach of a positive and negative commandment, except the negative commandment [Ex. xx. 7]: "Thou shalt not take the name of the Lord thy God in vain"; and all things equal to this: since this, which is a real negative commandment, is excepted, the other negative commandments are atoned for? Come and hear another contradiction: It is written [Ex. xxxiv. 7]: "And he will clear of sins." We might think, from this sin, the breach of the negative commandment, "Thou shalt not take the name of the Lord," etc., he will also clear. Therefore it is further written, "by no means." Shall we assume, that from the breaches of all negative commandments he will not clear? Therefore it is written [Ex. xx. 7]: "For the Lord will not hold him guiltless (the Hebrew term is the same) that taketh *His name* in vain." Infer from this, that breaches of other negative commandments he does atone for? (How, then, does Jehudah say that the breaches of real negative commandments are not atoned for?) There is a difference of opinion among the Tanaim, as we have learned in the following Boraitha: "What does penitence atone for? For breaches of positive, and negative inferred from positive, commandments. And for which does penitence only gain a suspension, and the Day of Atonement atones? The sins for which the penalties are *Karoth*, death by Beth Din, and real negative commandments."

The Master has said: Because it is written [Ex. xxxiv. 7]: "He will clear of sins," how is it to be understood? That is as we have learned in the following Boraitha: R. Elazar said: We cannot say it means, He clears of sins, because it is written further, "by no means" does He clear. We cannot say, He does not, because it is written "clear of sins."* We must therefore

* The literal translation is: "And clear he will not clear."

explain the verse: He clears of sins those who do penance; and does not, those who are not penitent.

R. Mathiah b. Heresh asked R. Elazar b. Azariah at Rome: Have you heard of the four differences made in atonements, about which R. Ishmael lectured? He replied to him: There are only three, and penitence is combined with each. When one has transgressed a positive commandment, and done penance, he is atoned for before he goes away from his place. As it is written [Jerem. iii. 14]: "Return, O backsliding children." If he has transgressed a negative commandment, penitence suspends (the sentence), and the Day of Atonement atones. As it is written [Lev. xvi. 30]: "For on that day shall he make atonement for you, to cleanse you from all your sins." If he has committed sins for which the penalties are *Karoth*, or death by Beth Din, then penitence and the Day of Atonement suspend (the sentence in Heaven) and afflictions wipe it out. As it is written [Ps. lxxxix. 33]: "Then will I visit with the rod their transgressions, and with plagues their iniquity." But he who has on his conscience the defamation (profaning) of God, neither penitence can suspend, nor the Day of Atonement atone for, nor sufferings wipe out. But all the three only suspend, and death wipes out, as it is written [Is. xxii. 14]: "And it was revealed in my ears by the Lord of hosts: Surely this iniquity shall not be forgiven unto you, until ye die."

What is called defamation of God? Says Rabh: For instance, if I take meat from the butcher, and do not immediately pay, I profane God (by its being said, a great and religious man robs). Says Abayi: This is when it is the custom to pay cash, but not where it is the usage to pay later. R. Johanan says: For instance, when I should walk four ells without Torah (in my mind), I profane God. R. Janai's disciples have said: When a man's companions are ashamed of his reputation, it profanes God. Said R. Na'hman b. Itz'hak: (What is meant by reputation?) When people say of a man: "O God, pardon him for his deeds." And Abayi says, as we have learned in the following Boraitha: It is written [Deut. vi. 5]: "Thou shalt love the Lord thy God." That means, God's name should be loved through thee; that is to say, a man must read and study the Torah, and attend on (serve) scholars, and his dealings with the world should be mild. What do people then say of him? Well with his father, who taught him Torah; well with his teacher, who has instructed him in Torah, and woe to those peo-

ple who have not learned the Law! Behold, the one who *has* learned Torah, how beautiful are his ways, how just his deeds! Of him says the verse [Is. xlix. 3]: "And he said unto me, My servant art thou, O Israel, thou on whom I will be glorified." But if one has learned Torah and served the scholars, but is in his dealings not honest and speaks with people not gently, then what do people say about him? Behold, him who has learned Torah, woe to his father, that has taught him Torah; woe to his teacher, who has instructed him in Torah! See the one who has learned Torah, how evil are his ways, how evil his deeds! Of him says the verse [Ezek. xxxvi. 20]: "They profane my holy name, because they said of them, these are the people of the Lord, and out of his land are they gone forth."

R. Hania b. Hanina said: Penitence is great, and brings healing to the world, as it is written [Hosea xiv. 5]: "I will heal their backsliding, I will love them freely." The same has found a contradiction: It is written [Jerem. iii. 14]: "Return, O backsliding children"; by which seems to be implied a former backsliding. And here it is written: "I will heal thy backsliding," where it seems to be implied that it will remain, only be healed. It presents no difficulty. When one does penance out of love towards God, he is as he had not been; but if he does penance only out of fear, his previous sins remain, only they are healed.

R. Jehudah finds a contradiction: In these verses it is written, "backsliding children," and elsewhere [Jerem. iii. 14]: "For I am become your husband and will take you." It presents no difficulty. Children they are called, when they do penance out of love or fear; and otherwise, when they do it through suffering.*

R. Levi said: Penitence is great. It reaches the throne of His glory, as it is written [Hosea xiv. 2]: "Return, O Israel, even unto the Lord thy God." R. Johanan said: Penitence is great, so that it supersedes a negative commandment in the Torah. As it is written [Jerem. iii. 3]: "One could say, Behold, if a man send away his wife, and she go from him, and become another man's, can he return unto her again? Would not that land be greatly polluted? and thou hast played the harlot with many companions, and wilt yet return to me, saith the Lord." (So penitence is greater than the commandment not to take back one's wife, married to another.)

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* The passage is difficult, and Rashi is also uncertain.

R. Jonathan said: Penitence is great, so that it brings the redemption, as it is written [Is. lix. 20]: "But unto Zion shall come the redeemer, and unto those who return from transgression in Jacob," which means, Why is the redeemer come? Because Jacob has returned from transgressions. Resh Lakish says: Penitence is great: even the sins that have been done intentionally are considered as if they had been done unintentionally. As it is written [Hosea xiv. 2]: "For thou hast stumbled in thy iniquity." Iniquity is intentional, and yet it is called "stumbling." This is not so? Did not Resh Lakish himself say: Penitence is great, so that intentional sins come to be considered as merits, as it is written [Ezek. xxxiii. 19]: "And when the wicked returneth from his wickedness, and executeth justice and righteousness, he shall surely live for them"? It presents no difficulty. One is from love, and the other from fear. R. Samuel b. Na'hmani in the name of R. Jonathan says: Penitence is great. It causes man to live long, as it is written: [ibid., ibid.]: "He shall surely live." R. Itz'hak said: In Palestine, they say in the name of Rabha b. Mari as follows: Come and see. The ways of the Holy One, blessed be He, are not like the ways of a man. When a man had incensed another man by his speech, it is doubtful whether he has really appeased him or not; but the Holy One, blessed be He, even if a man commits a sin in secret, allows himself to be appeased, as it is written [Hosea xix. 3]: "Take with you words, and return to the Lord." And not this alone, but He takes it as a favor, as it is written [ibid., ibid.]: "Accept good"; and not this only, but the verse makes him equal to one who has sacrificed bullocks, as it is written at the end of the verse: "Let us repay the steers with our lips." Perhaps it will be thought like steers as sin-offerings. Therefore it is written [ibid. 5]: "I will heal their backsliding, I will love them voluntarily."

We have learned in a Boraitha: R. Meir used to say: Repentance is great: when an individual repents, the whole world is pardoned, as it is written: "I will heal their backsliding, I will love them freely; for my anger is turned away from them."* It is not said from them, but from us, from all of us.

What is a penitent man? Said R. Jehudah: When he had an opportunity to do a sin once, and a second time he did not

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* The Hebrew for "from them" is "Mehem," but here "Mimenu" ("from us") is used.

do it. The same explains: That is meant, the same woman, the same place, the same time. R. Jehudah said again: Rabh found a contradiction in the following passages: It is written [Ps. xxxii. 1]: "Happy is he whose transgression is forgiven, whose sin is covered," and [Prov. xxviii. 13]: "He that concealeth his transgressions will not prosper." It presents no difficulty: This refers to a sin publicly known: he ought to confess, and repent; but that refers to one not yet known; he ought to repent before it has become known. R. Zutra b. Tubia said in the name of R. Na'hman: The one refers to a sin toward a man: he must make it public, and appease the man; but a sin toward God, one need not make public, but repent.

We have learned in a Boraitha: R. Jose b. R. Jehudah said: When a man sins the first time he is pardoned; the second time, he is pardoned; the third time, he is pardoned; the fourth time, he is not pardoned, as it is written [Amos ii. 6]: "Thus hath said the Lord, For three transgressions of Israel, and for four, will I not turn away their punishment." And it is written [Job xxxiii. 29]: "Lo, all these things doth God two or three times with man." [What is the second passage required for? From the first we might think it is only the case with a congregation; but the second shows to us that it is true in case of an individual also.]

The rabbis taught: The sins one has confessed on one Day of Atonement, he need not confess on the next Day of Atonement. This is the case, if he has not repeated the sin; but in that case, he should repeat the confession. If, without having sinned again, he confessed again, then to him applies the verse [Prov. xxvi. 11]: "As a dog returneth to his vomit, so doth a fool repeat his folly." R. Eliezer b. Jacob, however, said: So much the more may he be praised, as it is written [Ps. li. 5]: "For of my transgressions I have full knowledge, and my sin is before me continually."

When he confesses, he must specify his sin, as it is written [Ex. xxxii. 31]: "This people hath sinned a great sin, and they have made themselves a god of gold." So said R. Jehudah b. Babha. R. Aqiba, however, said: "Happy is he whose transgression is forgiven, whose sin is covered." [Why, then, has Moses specified the sin? It is, according to R. Janai: Moses said to the Holy One, blessed be He: "Lord of the universe, thou hast given so much gold that they said, 'Enough.' This has caused that they made a golden god."]

Two good leaders Israel had: Moses and David. Moses said: May my sins be inscribed, as it is written [Num. xxii. 12]: "Because ye have not confided in me, to sanctify me." And David said: May my sins not be inscribed; namely, "Happy is he whose transgression is forgiven, whose sin is covered."

Moses and David may be compared to two women punished in court: one, because she has really sinned, and the other, because she has eaten fruit of the Sabbatical year. The second said: Pray, proclaim what my transgression is, that it should not be thought I am punished for the same sin as the other woman. They took the fruit, and suspended it on her neck, and proclaimed: Be it known, she has been chastised for eating fruit of the Sabbatical year.

The evil deeds of hypocrites should be made public, that the name of the Lord may not be profaned. As it is written [Ezek. iii. 20]: When a righteous man doth turn from his righteousness and doeth what is wrong, then will I lay a stumbling-block before him."

When a confirmed sinner repents, the execution of the punished is not carried out, even after the decree has been sealed.

The mirth of the wicked ends in sin; and the possession of power (dominion) buries him who wields it. Naked he enters, and naked he comes out. Were he but as clean when he goes out as when he came in! He who is given to philanthropic activity, him sin reaches not; and he who induces the public to sin, to him is not given from Heaven the opportunity to repent. The first is not allowed (from Above) to sin, that he may not be in Gehenna while his disciples are in Paradise, as it is written [Ps. xvi. 10]: For Thou wilt not abandon my soul to the grave, Thou wilt not suffer Thy pious to see corruption; and the second is not permitted to repent, that he should not be in Paradise while his disciples will be in Gehenna, as it is written [Prov. xxviii. 17]: "A man oppressed by the load of having shed human blood will flee even to the pit: they shall not support him."

"*I will sin, the Day of Atonement will atone.*" Shall we assume that our Mishna is not in accordance with Rabbi, who said in the following Boraitha: All the sins mentioned in the Bible, whether one has repented or not, are forgiven on the Day of Atonement? The Mishna may be according to Rabbi; but if he sins, *relying* on the Day of Atonement to atone for his sins, then Rabbi also agrees that he is not pardoned.

"*Transgressions towards God.*" R. Joseph b. Habu pointed to a contradiction to R. Abahu: Here it is said: The sins against men the Day of Atonement does not atone for. But is it not written [2 Sam. ii. 25]: "If one man sin against another, God will forgive him when he will pray"? Not God is meant [Elohim, *God* or *Judge*], but the Judge; and by "Upil'lo," not "will forgive for prayer" is meant, but "shall punish." If it is so, what means what is written further, "If against the Lord a man should sin, who shall judge him?" (Cannot God himself judge him?) This is meant: If one sins against a man, and appeases him, God forgives; but if he sins against God, who can *pray* for him (not *judge*)? Repentance and good deeds.

R. Itz'hak said: He who has provoked his neighbor, even by words, must appease him, as it is written [Prov. vi. 1, etc.]: "My son, if thou hast become surety for thy friend," etc., "go hasten to him and urge thy friend," which means, if thou hast his money, open thy palm, and restore it to him; if not, request some persons to pray him to forgive thee. Said R. Hisda: He must try to appease him three times, and among three circles of persons, as it is written [Job xxxiii. 27]: "He then should assemble men around, and say, I have sinned, and perverted what is right, yet have I not received a like return" (three verbs: "sinned," etc.).

R. Jose b. Hanina said: When one tries to appease another, he need not try more than three times, as it is written [Gen. l. 17]: Oh, I pray Thee, forgive, I pray Thee, the trespass of thy brothers, and their sin, for evil have they done unto Thee, and now we pray Thee, forgive ("pray Thee" repeated three times). And if the offended person is dead, he should bring ten persons to his grave and say: I have sinned against God and him who lies here.

R. Jeremiah had been not on quite good terms with R. Abha: he went to appease him. He sat down on the threshold. The servant-maid came out to empty dirty water, and bespattered him. He said: I was made like unto mud, and applied unto himself the verse [1 Sam. ii. 8]: "From the dunghill he lifteth up the needy." When R. Abha heard about this, he came out and said: Now I have to ask forgiveness of you, as it is written: "Go hasten to him, and urge thy friend."

When R. Zara was on bad terms with any person, he passed him repeatedly, that the other might recollect and appease him. Rabh once had a quarrel with a butcher. When the eve of the

Day of Atonement arrived, the butcher did not come to ask his forgiveness. Rabh said: If he does not come to me I will go to him to ask his forgiveness. On the road, R. Huna met him, and inquired of him: Whither goes the Master? He said: I go to appease that man. Then R. Huna said to himself: Abha (*i.e.*, Rabh) is going to kill a man. Meanwhile Rabh came to the butcher, who was cleaving heads of cattle. When the latter raised his eyes and perceived Rabh, he said: Abha, is that thou? Go away, I don't want to have any dealings with thee. When he resumed the cleaving of the heads, a bone flew out, and stuck in his throat, so that he died.

Rabh read a section from the Prophets before Rabbi. In the meantime R. Hiya entered. Rabh began again from the beginning. Then entered Bar Kapara. He began from the beginning again. Later came R. Simeon the son of Rabbi. He read from the beginning once more. Then came R. Hanina b. Hama. He said: Shall I begin again from the beginning, after so many times? and he did not do it. R. Hanina was provoked by this. Rabh went to him thirteen eves of the Day of Atonement, and yet that man did not permit himself to be appeased. How did he do it? Did not R. Joseph b. Hanina say: More than three times one need not try? Rabh is different. He treated himself more rigorously. How did R. Hanina do so? R. Hanina saw in a dream that Rabh was hanged on a tree, and there is a tradition, if one dreams of a man that is hanged, he will become a head. He said: If I will not permit myself to be appeased, he will go to Babylon, and become a head (of a college) there, and I will become one here."

The rabbis taught: The duty of confession is on the eve of the Day of Atonement, when it grows dark. Still, the rabbis said, one should confess previously to the meal; for if something happen to him at his meal, he will have remained without a confession. But although one has confessed before the meal, he should confess again in the evening, and once more the next morning, and in the additional prayer, Minchab prayer, and the concluding prayer (N'ilah).

At what place in the prayer should he confess? An individual, at the end of the prayer; and the reader for the congregation, in the middle of the prayer. What shall he say? Rabh says: He shall begin: "Thou knowest the secrets of the world"; R. Samuel says, he should begin: "From the depths of the heart"; and Levi says, he shall begin: "In thy Torah it is

written thus." R. Johanan says: He should begin: "Lord of the Universe (not for our merits we pray of Thee mercy," etc.); and R. Jehudah says: He shall begin: "Our transgressions are too numerous to be counted, and our sins too mighty to be told of." R. Hamnuna says: He shall begin: "My God, before I was created I had not been worthy to be created; and now when created, I am the same as previously. I am earth during my life, and so much the more when I will be dead. I am entirely before Thee as a vessel full of disgrace and shame. May it be Thy will that I may not sin more; and my sins hitherto mayest Thou in Thy great mercy wipe off, but not by means of suffering." And this was the confession of Rabha the whole year, and that of R. Hamnuna the Younger on the Day of Atonement. Said Mar Zutra: All this has to be said, if he has not said previously, "It is true we have sinned." If, however, he has pronounced this, he need add nothing to it. As Bar Hamduri related, when he stood once before Samuel on the Day of Atonement, he perceived that as soon as the reader came to this sentence, "It is true we have sinned," all rose. Hence he understands that this is the principal part. Ulla b. Rabh was a reader in the presence of Rabha: He began the concluding prayer with: "Thou hast chosen us," etc., and concluded with, "What are we and what is our life?" etc.; and Rabha praised him. R. Huna the son of R. Nathan, however, said: When an individual reads the concluding prayer, he should say, "What are we and what is our life," etc., after it.

Rabh said: The prayer of N'ilah substitutes the evening prayer also. Rabh is in accordance with his theory elsewhere, that it is an additional prayer, and if it has been read, no other prayer is needed for the evening. Did Rabh say so? Did he not say elsewhere that the evening prayer is in general voluntary, not a duty? He means, even according to him who would say it *is* a duty, the "concluding prayer" substitutes it. An objection was made: We have learned in a Boraitha: In the beginning of the evening before the Day of Atonement, one shall read as prayers the seven benedictions, and confess. The same one does in the morning, and also in the additional prayer, the seven benedictions, and confessions; the same in the "concluding prayer": but in the evening one shall say as prayers seven of the eighteen week-day benedictions.* R. Hanina b.

* What the seven of the eighteen are, will be explained in Tract Berachoth.

Gamaliel said in the name of his ancestors: He shall say all the eighteen week-day benedictions, because he must include the Habdalah in the benediction of Wisdom (Honen Hadaath). The opinions of the Tanaim differ about it.

The disciples of R. Ishmael taught: He who sees Qeri on the Day of Atonement, he shall pray the whole year; but if he has survived this year, he shall be sure of entering the world to come. R. Na'hman b. Itz'hak said: The proof is when the whole world is hungry, he was full. When R. Dimi came from Palestine, he said: He will live long, he will see children and grandchildren, as it is written [Is. iii. 10]: "Shall see seed, live many days."

END OF TRACT YOMAH.

APPENDIX.

WE think it will please our readers to have placed before them the following letter, written by a Gentile who had witnessed the services at the Second Temple on the Day of Atonement. We give the entire extract as it is translated in "Shevet Jehudah" by Solomon Aben Virga, who translated it from a letter written by Versovius to King Alfonso the Pious, although it began with the Feast of Passover, part of which is already mentioned in Tract Pesachim, as it will be of much interest to the historian to know some details of the Jewish services at the Temple.

EXTRACT FROM A LETTER WRITTEN BY VERSOVIUS TO KING ALFONSO THE PIOUS, WHO COPIED IT FROM A WRITTEN REPORT SENT BY MARCUS, CONSUL OF JERUSALEM, TO ROME.

. . . *Tenth.*—Concerning the service at the Temple, these Jews were reluctant to inform me about it, as they declared it was against their law to inform a Gentile about the manner of their serving God. They have enlightened me upon two subjects only, part of which I saw with my own eyes, and was greatly rejoiced thereat. One was the sacrifice which they brought on the feast that they call Pessach, and is considered to be the greatest of all their feasts; and the second is the entrance of the high-priest, whom we call *sacerdote mayor*, into the Temple on the day which to them, in regard of holiness, purity, and strengthening of the soul, is the most important of all the days in the year. The Pessach sacrifice, which I have partly witnessed, as also, as I was told, the entire ceremony, takes place in the following manner. When the beginning of the month which they call Nissan approached, by the command of the king and the judges, swift messengers visited every one in the vicinity of Jerusalem who owned flocks of sheep and herds of cattle, and ordered him to hasten to Jerusalem with them, in order that the pilgrims should have sufficient animals for sacrifices and food; for the people were then very numerous, and whoever did not present himself at the appointed time, his possessions were confiscated for the benefit of the Temple. Consequently all owners of flocks and droves came hastily on, and brought them to a creek near Jerusalem, and washed and cleaned

them of all dirt. They believed that in regard of that Solomon said [Solomon's Song iv. 2]: "A flock of well-selected sheep, which are come up from the washing." When they arrived at the mountains which surround Jerusalem, the multitude was so great that the grass was not seen any longer, as everything was turned white, by reason of the white color of the wool. When the tenth day approached—as on the fourteenth day of the month the sacrifice was brought—every one went out to buy his paschal lamb. And the Jews made an ordinance, that when going forth on that mission, nobody should say to his neighbor, "Step aside," or "Let me pass," even if the one behind was King Solomon or David. When I remarked to the priests that this was not seemly nor polite, they made answer that it was so ordered, to show that there is no rank before the eyes of God, not even at the time of preparing to serve Him, more especially at the service itself; at that time all were equal in receiving His goodness. When the fourteenth day of the month arrived, they went to the highest tower of the Temple, which the Hebrews called Lul, and whose stairway was made like those in our church towers, and held three silver trumpets in their hands, with which they blew. After the blowing, they proclaimed the following: "People of the Lord, listen! The time for slaughtering the paschal lamb has arrived. In the name of Him who rests in the great and holy house!" As the people heard the proclamation, they donned their holiday attire; for since midday it was holiday for the Jews, being the time for sacrifice. At the entrance of the great hall stood twelve Levites on the outside, with silver staves in their hands; and twelve within, with gold staves in their hands. The duties of those on the outside were to direct and to warn the incoming people not to injure one another in their great haste, and not to press forward in the crowd, to prevent quarrels; as it previously happened on one of the feasts of Pessach, that an old man, together with his sacrifice, was crushed, in consequence of the great rush. Those on the inside had to preserve order among the outgoing people, that they should not crush each other. They were also to close the gates of the hall when they saw that it was already full to its capacity. When they reached the slaughtering place, rows of priests stood with gold and silver bowls in their hands: one row had all gold bowls and another row had all silver bowls. This was done to display the glory and splendor of the place. Every priest who stood at the head of the row received a bowl full of the sprinkling blood. He passed it to his neighbor, and he to his, until the altar was reached; and the priest who stood next to the altar returned the bowl empty, and it went back in the same manner, so that every priest received a full bowl and returned an empty one. And there occurred no manner of disturbance, as they were so used to the service that the bowls seemed to fly back and forth, as the arrows in the hand of a hero. For thirty days previous they practised that service, and,

therefore, found out the place where there was the possibility that a mistake or a mishap might occur. There were also two tall pillars, on which stood two priests with silver trumpets in their hands, who blew when each division began the sacrifice [the paschal lamb was slaughtered in three divisions—see Pesachim], in order to give warning to the priests who stood on their eminence to begin Hallel amid jubilee and thanksgiving, and accompanied by all their musical instruments; on that day, namely, they brought forward all the instruments. The sacrificer also prayed the Hallel. If the sacrifice was not ended, Hallel was repeated. After the sacrifice, they went into the halls, where the walls were full of iron hooks and forks; the sacrifices were hung upon them and skinned. There were also many bundles of sticks; for when there were no more empty hooks, they put a stick upon the shoulders of two of their number, hung the sacrifice upon it, skinned it, and put the particular portion upon the altar, and went away rejoicing, as one who went to the war and returned victorious. The one who did not bring the paschal lamb at the appointed time, was eternally disgraced. During the service the priests were dressed in scarlet, that the blood which might accidentally be spilled on them should not be noticed. The garment was short, reaching only to the ankle. The priests stood barefoot, and the sleeves reached only the arms, so they should not be disturbed during the service. On their heads they had a cap, around which was tied a three-ell-long band; but the high-priest, as they told me, had a band which he could tie around his cap forty times. His was white. The ovens in which they roasted the paschal lambs were before their doors, in order, as they told me, to publish their religious ceremonies, also on account of the festival joys. After the roast, they ate amid jubilee songs and thanksgiving, so that their voices were heard from afar. No gate of Jerusalem was closed during Passover night, because of those who were constantly coming and going, who were considerable in number. The Jews also told me that on the Feast of Pessach the number of those present was double of that which went out of Egypt, for they wished to acquaint the king with their number.

The second service was the entrance of the high-priest in the sanctuary. Of the service itself they did not tell me, but of the procession to and from the Temple. Some of it I have also seen with my own eyes, and it surprised me so greatly that I exclaimed: "Blessed be He who imparts His glory to His nation!" Seven days before that day which they call Atonement Day, and which is the most important in the entire year, they prepared at the house of the high-priest a place and chairs for the chief of the courts, the Nassi, the high-priest, his substitute, and for the king; and besides these, also seventy silver chairs for the seventy members of the Sanhedrin. The oldest of the priests got up and delivered an oration before the high-priest, full of earnest entreaty. He said: "Bethink thyself

before whom thou enterest, and know that if thou wilt loose the devotion of thy mind, thou wilt at once drop down dead, and the forgiveness of the Israelites will come to naught. Behold! the eyes of all Israelites are turned upon thee. Investigate thy deeds. Perchance thou hast committed some slight sin; for there are sins which equal in weight many good deeds, and only the Almighty God knows the weight thereof. Investigate also the deeds of the priests, thy brothers in office, and have them repent. Take it to heart, that thou art going to appear before the King of all kings, who sits upon the throne of judgment, who sees everything. How darest thou to appear, when thou hast the enemy within thee!" The high-priest then makes answer that he has already investigated himself, and has repented all that which seemed to him sinful; that he has also already assembled all the priests, his brother officers, in the Temple, and by Him who rests His name there conjured them that each one should confess the transgressions of his brother officers, as well as his own, and that he prescribed for each transgression a corresponding repentance. The king also spoke to him kindly, and promised to shower upon him honors, when he should safely come out of the sanctuary. After that it was publicly proclaimed that the high-priest was about to take possession of his room in the Temple. Whereupon the people made ready to accompany him, and marched before him in the following order, which I witnessed myself: First went those who traced their ancestry to the kings of Israel, then those who were nearer in the priesthood; then followed those who were of the kingly house of David, and, indeed, in the most perfect order, one after the other, and before them was exclaimed: "Give honor to the family of David!" Then followed the Levites, before whom it was exclaimed: "Give honor to the family of Levi!" Their number amounted to 36,000. At this time the substitute Levites donned blue silk garments; but the priests, 24,000 strong, donned white silk garments. Then followed the singers, the musicians, the trumpeters; then the closers of the gates, the preparers of the incense, the preparers of the holy curtains, the watchers, the masters of the treasury; and then a corps which was called *chartophylax;* then all who were employed at the Temple, then the seventy members of the Sanhedrin, then a hundred priests with silver staves in their hands to make room, then the high-priest, and behind him the older priests in pairs. At the corner of every street stood the heads of the colleges, who spoke to him thus: "High-priest, enter in peace. Pray to our Creator for our preservation, so that we may occupy ourselves with the study of His Law." When the procession reached the mount of the Temple they halted and prayed for the preservation of the kings of the house of David, then for the priests and the Temple, whereat the *Amen* exclamation, because of the great crowd, was so loud that the birds overhead fell to the ground. After that the high-priest bowed before the entire

people very respectfully, and, weeping, separated himself from them all, and two substitute priests led him into his room, where he took leave of all the priests, his brothers in office. All that took place at the procession to the Temple; but at the procession from the Temple his honor was double, for the entire population of Jerusalem marched before him, and most of them with burning candles of white wax, and all attired in white; all windows were draped with varicolored kerchiefs and were lighted dazzlingly, and, as the priests told me, the high-priest, during many years, because of the great crowds and rush, could not reach his house before midnight; for although all fasted, nevertheless they did not go home before they convinced themselves whether they could kiss the hand of the high-priest. On the following day he prepared a great feast, to which he invited his friends and relatives, and made that day a holiday, because of his safe return from the sanctuary. After that he caused a goldsmith to make a gold tablet with the following inscription engraved upon it: "I, so and so the high-priest, son of so and so the high-priest, have performed the service of the high-priest in the great and holy Temple, in the service of Him who rests His name there, in the year of creation so and so. May He who favored me with the performance of that service, favor also my son after me, to perform the service before the Lord."

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TRACT HAGIGA (HOLOCAUST).

CHAPTER I.

REGULATIONS CONCERNING THE HOLOCAUST, AND THE APPOINTED TIME FOR THE PEACE-OFFERING.

MISHNA: All are bound in the case of a holocaust * except a deaf man, a fool, a minor, and one of doubtful sex (ατμητος) and one of double sex (androginos), and women and bondsmen, the lame, the blind, the sick, the old, and he who is not able to go upon his feet. What is a minor? Every one who is unable to ride on his father's shoulders, and to go up from Jerusalem to the mountain of the Temple. So is the decree of the School of Shammai. But the School of Hillel say: Every one who is unable to take hold of his father's hand, and to go up from Jerusalem to the mountain of the Temple, as it is said [Ex. xxiii. 14], "Three times,"† etc. The School of Shammai say: The holocaust involves two silver coins (one-third of a gold dinar), and the feast-offering one meah (one-sixth of a dinar). But the School of Hillel say the contrary.

GEMARA: What is meant to be added by the word "all"? It means to add a man who is half a slave (he was a slave to two men, and one gave him liberty). But according to Rabhina, who says that such a man is absolved from holocaust, what did the Mishna mean to add? One who was lame on the first day, but on the second day he became well. This would be correct according to him who says that on every day of the succeeding six days the obligation of the holocaust exists, but according to those who say that all the six days are only a completion of the

* The Hebrew term is ראיה, which means "appearing" [*vide* Deut. xvi. 16], and because of the statement [ibid.], "And no one shall appear before the Lord empty," it is construed to mean the sacrifice; *i.e.*, the holocaust.

† The Hebrew expression for "times" is "Regalim," the singular of which is "Regel," and means "a foot" also, hence the meaning "if the minor can go with his feet."

first day, and as he was not obliged the first day, although he was fit for it later, he is free from it. What did the Mishna mean to add by the expression "all"? Therefore we must say that it is as stated above (one who is a half-slave), and Rabhina's statement is in accordance with the later Mishna, which states as follows: For the sake of the world, it was ordained that the master of the slave shall be compelled to set him free for the purpose that he should be able to marry a free man, and the slave shall give him a note for it for the half of his value. And the School of Hillel retracted their decision and decided as the School of Shammai; consequently if he is yet half a slave, he is obliged, because he will be free, and the Mishna adds by "all" such a case.

"*A deaf man, a fool, and a minor*," etc. The Mishna mentions the deaf man together with fool, to teach us that as the fool has no intelligence, so also the deaf man is absolved when he has no intelligence, *i.e.*, when he is both deaf and dumb; but if he speaks but cannot hear, or *vice versa*, he is obliged. But did we not learn in a Boraitha: Both when he can hear but not speak, or speak and not hear, in either case he is free? Said Rabhina: The Boraitha is not completed, and must read thus: All are obliged in case of a holocaust, and to enjoy the festival, except a deaf man who hears but speaks not, or *vice versa*, then he is free from holocaust, but not from rejoicing. But he who neither hears nor speaks is free from rejoicing also, because he is exempt from all commandments contained in the Law. And so we also learned in a Boraitha plainly.

But why is a man who hears but speaks not, or *vice versa*, exempt from holocaust? Because about holocaust he deduces from an analogy of expression as follows: It is written [Deut. xxxi. 12]: "Assemble the people together, the men and the women, and the children," and [ibid. 2]: "When all Israel came to appear before the Lord thy God." But whence do we deduce that he who hears not but speaks, etc., is exempt from pilgrimage? Because it is written [ibid. 12]: "That they may hear, etc., that they may learn." And a Boraitha taught: "May hear" to exclude one who can talk but cannot hear, and "may learn" to exclude those who can hear but cannot speak. Is that so, that he who cannot speak cannot learn? We know there were two dumb men in the neighborhood of Rabbi, who were sons of the daughter of R. Johanan b. Gudguda (and others say, sons of his sister), who, when Rabbi entered the house of learning, went

in also, shook their heads, and muttered with their lips; and Rabbi prayed mercy for them and they were healed; and it was found that they were well versed on Halakha, and on the whole six sections of the Mishna? Said Mar Zutra: Read in the Bible: They may teach* (not "learn"), and who cannot speak cannot teach. Said R. Ashi: Assuredly, it must be so, because if learning is meant it could be deduced from the words "and they may hear," and he who cannot hear cannot learn.

R. Tan'hum said: He who is deaf in one ear is free from holocaust, because in the verse stated above [ibid. 2] it is written: "In their *ears*" (in the plural). R. Tan'hum said again: He who is lame in one foot, is also exempt, because it is written: "Three times" [Regalim (times), which means also feet (plural)].

Rabha lectured: "It is written (Song of Songs, vii. 2): "How beautiful are thy steps in sandals, O prince's daughter." This refers to the pilgrims on the festivals (see Succah, chap. iv.). R. Kahana said: R. Nathan b. Minyumi lectured in the name of R. Tan'hum: It is written [Gen. xxxvii. 24]: "And the pit was empty, there was no water in it." If it was empty, is it not self-evident that there was no water in it? Infer from this that it was empty from water, but not from snakes and scorpions.

The rabbis taught: It happened that R. Johanan b. Broka and R. Elazar b. Hasma went to visit R. Jehoshua in the city of Pekiin, and he asked them: What news is to-day in the house of learning? They answered him: We are your disciples, and we drink only your waters. He rejoined: Nevertheless, it cannot be there should not be something new in the college; tell me whose Sabbath was it for lecturing? And they said: R. Elazar b. Azariah's. And on what verse did he lecture? (asked he again). On the portion of the Assembly. And what did R. Elazar preach? He lectured thus: It is written [Deut. xxxi. 12]: "Assemble the people together, the men and the women and the children." It is right, the men came to learn, the women came to hear; for what purpose were the children brought? Only that those who brought them should be rewarded. And he rejoined: You have had a good pearl in your hand and you wanted to deprive me of it.

He also lectured on the verse Deut. xxvi. 17. (See Bera-

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* The expression "Ylmdu," which means "to learn"; and Mar Zutra said it should be read "Yelamedu," which means "to teach."

choth.) The same lectured again: It is written [Eccl. xii. 2]: "The words of the wise are like goads, and like nails planted * are the words of the men of the assemblies which are given by one shepherd." As the goad keeps the animal which ploughs (to make it straight) furrows, so as to produce sustenance for the world, so also the words of the Law (keep those who study them) away from the ways of death for the ways of life. But if you would say, that as the goad is movable so also the words of Law. Therefore it is written: "Nails." But if you will say, as the nail (makes a hole in the wall and) diminishes (and does not add to it), so also the words of the Law diminish and do not add. Therefore it is written: "Planted"; as a plant is fruitful and multiplies, so also the words of the Law. "The men of assemblies," which means the scholars who sit in assembly, studying the Law and discussing—these make clean, the others make unclean, these prohibit and those allow, these make valid, those make invalid. But if one may say: If it is so, how can I learn the Torah? Therefore it is written: "Given by one shepherd." One God gave them, and one Master (Moses) said it from the mount of the Lord of all creatures, blessed be He, as it is written [Ex. xx. 1]: "And God spoke all these words." And therefore you must make your ears as an *επιχυσις* (a kind of strainer which receives but lets not out), and gain an understanding heart to comprehend the reason why these make unclean, those clean, etc. Then R. Jehoshua rejoined: I tell you, it is not an orphan generation in the midst of which R. Elazar b. Azariah lives. Why did they not tell him at once the news in the house of learning? Because of the occurrence stated in the following Boraitha:

It happened once that R. Jose, the son of a Damascene woman, went to visit R. Eliezer in the city of Luda, and R. Elazar asked him: What news was there in the house of learning to-day? And he answered: It was voted, and the decision was that in the lands of Amman and Moab the tithe to the poor is to be given on the Sabbatical year (this is explained in Tract Maasroth), and he told him: Jose, stretch out your hand, and take out your eyes. And he did so. Then R. Elazar wept and said: It is written [Ps. xxv. 14]: "The sacred counsel of the Lord is for those that fear him, and his covenant to make it known to them." And he said to R. Jose: Go and tell

* *Netuim*, "planted" or "fastened."

them, you should not doubt about your conclusion to-day, because I have a tradition from R. Johanan b. Zakkai, who heard it from his master, and his master from *his* master, etc., up to Moses on Sinai, that the land of Amman and Moab may give the tithe to the poor on the Sabbatical year. [The reason is because those who went out of Egypt subjugated many fortified cities, but those who went out from Babylon did not, and the first sanctification had sanctified the land only for that time, but not for the future. And those who went out from Babylon left these lands for the poor; they should be supported on them on the Sabbatical year. In another Boraitha it was taught: After R. Elazar became calm he prayed that it should be the will of God that Jose's eyes be cured, and they were cured.]

The rabbis taught: What is called a fool? He who goes out alone in the night, and who sleeps in a cemetery, and who tears the clothes he wears. It was taught: R. Huna said: It is only when he does all these things together. How is the case? If because he is a fool, then any of these is sufficient, and if he does it not through folly, what is the proof of all these? It is meant he does it through folly; but when he does all these things, he is like an ox goring another ox, a camel, and an ass, after which he is considered vicious as to all creatures, so he is considered a fool in all respects. Said R. Papa: If R. Huna had heard the following Boraitha, which states, Who is a fool? When he destroys all things that are given to him, he would have retracted his decree.

"*One of doubtful sex*," etc. The rabbis taught: It could be written [Deut. xvi. 16]: "The males," which would exclude only the women, but it is written "*Thy* males," which means to exclude also those of doubtful as of double sex. But why is needed a verse to exclude the women? Is not this a commandment which is dependent upon the time? and it is known that of all commandments which are dependent upon the time the women are exempt. This verse is needed, for at the first glance one might say that it shall be drawn from an analogy of expression, "the assembly"; as to the assembly women are also bound, so would be the case here, therefore, it comes to teach us. The master said: "All thy males" to include the minors. But did not we learn in our Mishna, "Except a deaf man, a fool, and a minor?" Said Abayi: It presents no difficulty: There is the case of a minor who has not arrived at the age of education yet, and here is the case when he has arrived at such age. When a

minor who has arrived at such age, his duty is only rabbinical. Why then is needed a verse? Yea, it is only rabbinical, and the verse is only a support. But to what else does the verse apply? To that of the following Boraitha: Anonymous teachers said: Those whose work imparts to them a bad odor which accompanies them wherever they go, are exempt from the holocaust, because it is written, "*All* thy males," *i.e.*, all that can go together with others, but not such as cannot be in others' company.

"*Women and bondsmen.*" This is correct as to women, as it was said above, but whence do we deduce about bondsmen? Said R. Huna: Because it is written there [ibid. ibid.]: "Before the Lord thy God," which means one who has only one Lord, but not such as has another lord. Let us see: To what purpose is needed a separate verse? It is known that all the commandments which are obligatory to a woman are so also to a bondsman and all the commandments from which a woman is exempt a bondsman is also exempt, and this is inferred from an analogy of expressions [Deut. xxiv. 1]: "Write her," and [Lev. xix. 20] "Her freedom given her," hence a woman and bondsman are equal in duties. Said Rabhina: The verse is needed for one who is half a slave and half free, and it seems to be so because the Mishna taught: Women and bondsmen who were not freed. To what purpose is stated "not freed"? If it is meant that they were not freed at all, "bondsmen" alone is enough. We must say, therefore, that the Mishna meant those who were not wholly free. And what can that be? One who is half a slave and half free.

"*The lame, blind, sick,*" etc. The rabbis taught: It is written "Regalim" to exclude the lame, sick, blind, and old men who cannot go with their feet. What is meant to be added by "who cannot go with their feet"? Said Rabha: Such delicate persons as cannot walk without shoes (and in the Temple it was not permitted to go in shoes), as it is written [Is. i. 12]: "When you come to appear in my presence, who had required this at your hand to tread down my courts?"

We have learned in a Boraitha: If one is uncircumcised, or unclean, he is exempt from the holocaust. It is right of one unclean, because it is written [Deut. xii. 5, 6]: "And thither shalt thou come, and ye shall bring thither." From this we infer, that he who can come in ought to bring, but he who cannot, should not; (and he who is unclean cannot come into the Tem-

ple). But of an uncircumcised, wherefrom is it deduced? This is in accordance with R. Aqiba, who makes an uncircumcised equal to an unclean one, as we have learned in the following Boraitha: R. Aqiba said: It is written [Lev. xxii. 4]: "Any man whatsoever of the seed of Aaron." "Any man"—it could be written "a man." Why "any man," to include that "the uncircumcised shall be equal to the unclean ones"?

The rabbis taught: R. Johanan b. Dahabai said in the name of R. Jehudah: A man blind in one eye is exempt from the holocaust, because it is written [Deut. xvi. 16]: "Shall appear," * as if one comes to see, it is with both eyes; so if he appears, he must be with both eyes. R. Huna, when he came to the verse above cited, used to weep and say: That a slave whose master exhorts him to come to see him should be debarred from seeing him, as it is written [Is. i. 12]: "When you come to appear in my presence, who had required this at your hands to tread my courts?" Also when he came to the following verse [Deut. xxvii. 7]: "And thou shalt slay peace-offerings, and eat there." A slave who is invited to eat from his master's table, shall be debarred from seeing him, as it is written [Is. i. 1]: "Or what serveth me the multitude of your sacrifices?" R. Elazar, when he came to this verse [Gen. xlv. 3]: "And his brothers could not answer him, because they were terrified at his presence," he wept and said: If one is thus terrified when a human being has recognized his guilt, how much the more will it be before the Holy One, blessed be He.

Also when he came to the verse [1 Sam. xxviii. 15]: "And Samuel said to Saul: Why hast thou disquieted me, to bring me up?" If Samuel, the upright, was afraid of the judgment, so much the more must we be afraid of it. How shall this be understood? It is written [ibid. 12]: "And the woman said unto Saul: Divine beings have I seen ascending (Olim) out of the earth." Olim is plural. (Who were they?) It was Samuel and Moses, because Samuel was afraid. Perhaps he was asked to the judgment, and he had gone to Moses and asked him to testify, that he (Samuel) had done all that was written in his Law. R. Ammi, when he came to the following verse, used to cry [Lam. iii. 29]: "That he put his mouth in the dust, perhaps there still is hope." He said: After so much had been done,

* The Hebrew expression is יֵרָאֶה which means "shall be seen"; the same letters with following punctuation יִרְאֶה would be "shall see," hence the analogy.

nevertheless it is said "*perhaps.*" Also when he came to the following verse [Zeph. ii. 3]: "Seek righteousness, seek meekness, perhaps ye will been protected," he said: After so much will have been done, still it will be "*perhaps.*" R. Asi, when he came to the following passage, used to cry [Amos v. 15]: "Hate the evil and love the good, and establish justice firmly in the gate: perhaps the Lord, the God of hosts." He said: After so much will have been done, it will still be "*perhaps.*"

R. Joseph, when he came to the verse [Prov. xiii. 23]: "But there are many who are taken away without justice," * cried. R. Johanan, when he came to the following passage [Job ii. 3]: "And thou hast incited him against me to destroy him without cause," he cried. He said: If a slave persuades his master, and the master is persuaded, what cure can there be? Also, when he came to the following passage [ibid. xv. 15]: "In his holy one he putteth no trust," he cried and said: If he puts no trust in his holy one, whom will he believe? Once when on the road he saw a man pick figs from a tree. He left the ripe ones and picked the unripe ones. R. Johanan asked him: Are not the ripe ones better? He answered: These which are unripe I need for the route, because the ripe ones will be spoilt, but not these. Then said R. Johanan: This is as what is written: He putteth no trust in his holy ones (*i.e.*, they are gathered in before they are tempted to sin).

R. Johanan, when he came to the following verse [Mal. iii. 5] he wept: "And I will come near unto you to hold judgment, and I will be a swift witness against the sorcerers, and against the adulterers, and against those that swear falsely, and against those that withhold the wages of the hired laborer, fear me not, saith the Lord of hosts."

R. Johanan b. Zakkai said: Woe is to us, the verse makes equal for us light sins as well as grave sins." (Rashi explains it that the light sin is that of those who withhold the wages of the hired laborer, who is here equal to sorcerers, etc.) R. Hanina bar Papa said: When a man commits a sin and soon repents of it, he is forgiven immediately, because it is written [ibid.]: "And fear me not, saith the Lord of hosts." When he fears and asks for forgiveness, he is pardoned. R. Johanan, when he came to the verse [Eccl. xii. 14]: "For every deed will God bring into the

* Here is a legend of what happened to R. Bibi bar Abayi with the Angel of Death, who killed a man prematurely, which is omitted according to our method. This, however, can be found in the translation of Mr. Streane.

judgment, concerning everything that had been hidden," he cried. He said: If there is a slave whose master reckons his unintentional sins as his intentional sins, what cure can there be? What is meant by "everything that hath been hidden"? Said Rabh: When one kills a louse in another man's presence, and makes himself disagreeable thereby to him. And Samuel says: Even if he spits in the presence of his neighbor, and makes himself disagreeable.

What is meant [ibid.], "Whether it be good, or whether it be bad"? The disciples of R. Janai said: That applies to a man who gives charity to a poor man publicly. As R. Janai saw a man give a Zuz to a poor man publicly, he said to him: It would be better if you gave him not at all than as you did now, and put him to shame. The disciples of R. Shila said: It means a man who gives charity to a woman secretly, which brings on him suspicion.

It is written [Deut. xxxi. 21]: "And it shall come to pass when many evils and troubles." What is meant by "evils and troubles"? Said Rabh: Evils that trouble one another; for instance, a man who was bitten by a bee and by a scorpion—for the bee's sting warm water is needed, and for a scorpion's bite cold water is needed, hence the use of either will harm the other wound. Samuel said: What is written before, "whether good or bad," means one who (whether he is in good or bad circumstances) gives money to the poor only when the latter is in extreme poverty. Said Rabha: This is what people say: A Zuz for pleasure is not to be obtained, but a Zuz for trouble must be found (at any time).

It is written [Deut. xxxi. 17]: "And my anger shall be kindled against them on that day, and I will forsake them, and I will hide my face from them, and they shall be given to be devoured." Said R. Bardala bar Tebiumi in the name of Rabh: A man from whom God hides not his face is not an Israelite, and he who is not given to be devoured is not an Israelite, either. Said the rabbis to Rabha: It seems to us that you are neither included in the "hiding of the face" nor in the "devouring." And he rejoined: Can you know how much I must spend secretly on the government? Nevertheless the rabbis looked at him with an evil eye, and finally they came from the government and robbed him of everything. Said he: This is what R. Simeon b. Gamaliel said: Whatever the sages looked at with their eyes, either death or poverty followed.

It is written [ibid.]: "And I will hide my face from them." Said Rabha: The Holy One, blessed be He, said: "Although I have hidden my face from them, nevertheless I will talk to them in the dream." R. Joseph said: Still His hand is inclined to us, as it is written [Is. li. 16]: "With the shadow of my hand have I covered thee."

R. Joshua b. Hanania was before the Emperor (Cæsar). A Min who stood by showed him with his hand a people from whom God had turned away His face. R. Joshua b. Hanania showed *him* with *his* hand that "His hand is still over us." Asked the Emperor of R. Joshua: Do you know what the Min has shown you with his hand? He replied: Yes, he showed me a people from whom God had turned away His face. He asked him: What have *you* shown *him* with *your* hand? He answered: I showed him that God's hand is still inclined over us. The Emperor then asked the Min: What have you shown to R. Joshua b. Hanania? He said the same. And he asked him: What did he show you? He replied: I do not know. Then the Emperor said: A man that does not know what is shown to him by a sign, should he dare to raise his hand in the presence of an emperor? He ordered, and the Min was killed.

When R. Joshua b. Hanania was dying, the rabbis asked him: What will become of us with the Minim? He rejoined: It is written [Jer. xlix. 7]: "Is counsel vanished from the sons, is their wisdom become corrupt?" And this must be interpreted: When the children of God love their adviser the wisdom of their adversaries becomes corrupt. [And if you wish, we can infer it from the following passage (Gen. xxxiii. 12): "Let us depart and move farther, and I will travel near* thee," which means we will be always equal to those against us.]

R. Ula, when ascending the steps of the house of Rabba bar Shila, heard a child read the following passage [Amos iv. 13]: "He that formeth the mountains, and createth the wind and declareth unto man what is his thought." And he said: If there is a slave whose master can declare him what his secret thought is, what cure can there be? What is meant by "He declareth"? Said Rabh: Even a superfluous conversation between a man and his own wife is mentioned to him at the time of his death.

It is written [Jer. xiii. 17]: "My eye shall weep sorely and run down with tears, because the flock of the Lord is driven

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* *Lnegdecho* and *Neged* mean "against."

away captive." Said R. Elazar: What signify the three tears?* One over the first, one over the second Temple, and one over the exile of Israel from their land.

The rabbis taught: For the following three things the Holy One, blessed be He, weeps every day: For him who has the power to study the Law every day and does not; for him whose circumstances do not allow him to study, but who nevertheless does, and for a chief of the congregation who is haughty toward his congregation. Rabbi held the book of Lamentations and read. When he came to the verse [Lam. ii. 2]: "He had cast down from heaven unto the earth," the book dropped out of his hand. He said: It fell from the highest attic to the lowest pit.

Rabbi and R. Hyya were on the road. When they came to a city they said: If here is a scholar we will go to pay him a visit. They were told: There is here a young scholar, but he is blind. Said R. Hyya to Rabbi: You, as a Nasi, stay here, not to degrade your dignity, and I will go to see him. Rabbi did not listen, but perforce accompanied him. The blind man said to them when they were departing: You have come to see a countenance that can be seen, but cannot see; therefore ye should deserve to see that countenance which sees all, but which no one sees. Said Rabbi (to R. Hyya): If I had listened to you, and refrained to accompany you, I could not have received this blessing. They then asked the blind man: From whom have you heard this beautiful saying? (That to visit a scholar is so great a merit.) He replied: I heard it at the lecture of R. Jacob of the village of Hitaya, who used to visit his master every day. When he became old, his master said to him: Do not take this trouble now, for you are too aged to walk every day. He answered: Is this slight in your estimation what is written about scholars [Ps. xlix. 10]: "Should he still live forever, and not see the pit, for he must see that wise men die"? Now, if he who sees the wise die lives forever, much more so he who comes to see them when alive.

R. Idi, the father of R. Jacob bar Idi, had the custom to be three months on the road, and one day in college. The students of the college called him "the single-day student." So he became discouraged, and said in application to himself the verse [Job xii. 4]: "I am as one laughed at by his friends." Said R.

* In this verse in the Hebrew "tears" is mentioned three times.

Johanan to him: "I pray thee, do not cause the rabbis to be punished (by Heaven for their wrong to him), and he himself went and lectured thus: It is written [Is. lviii. 2]: "Yet me do they ever seek day by day, and to know my ways do they always desire," and said: Do they seek only by day, and not in the night? This comes to teach us that he who studies the Law even one day in the year, the verse makes him equal to one who studied the whole year.

"*Every one unable to ride on his father's shoulders,*" etc. R. Zera was opposed to this teaching, and asked: And who brought him as far as Jerusalem?" Abayi answered: As his mother is bound to rejoice, she brought him, and there if he can go up to the Temple mountain with his father, he is no longer a minor. To defend the teaching of the School of Hillel, Rabbi replied thus: It is written in 1 Sam. i. 22: Hannah said: "So soon as the child shall be weaned, I will bring him." Why did she let him wait till he would be weaned, since the father could have carried him? Said Abayi* to him: According to your question, why did Hannah herself fail to go, since she was bound to rejoice? It must be said, that because of the too delicate condition of the child (which his mother noticed in him) she did not want to go.

"*Beth Shammai say two silver coins,*" etc. The rabbis taught: Beth Shammai say two silver coins for holocaust, because the sacrifice is a burnt-offering and must be more valuable, but for the feast-offering, which is only a peace-offering, one meah suffices. And we find also in case of Pentecost, about which the Law commands the burnt-offering should cost more than the peace-offering. And the Beth Hillel say: For the holocaust only one silver coin is sufficient. But the feast-offering had existed before the Law was given to Moses, as it is written [Ex. xxiv. 5]: "And they offered burnt-offerings and peace-offerings." (Although in the Bible it is written after the Law was given, this occurred before.) And we also find when the princes of Israel offered sacrifices, the cost of the peace-offerings was greater than the burnt-offerings.

Abayi said: Beth Shammai (R. Elazar and R. Ishmael) all hold that the sacrifice the Israelites offered in the desert was a holocaust-offering, and the Beth Hillel (R. Aqiba and R. Jose the Galilean) all hold that it was the daily offering, but not that of holocaust. We have learned in Tract Peah, Chap. I., the fol-

* This must be Abayi the Elder, who lived at that time.

lowing things have no biblical prescribed quantity: Peah (the corner); the first-fruit [Deut. xxvi.], and the holocaust-offering, and the conferring of kindness and the studying of the Law. R. Johanan taught to say: They have no prescribed maximum, but they have a prescribed minimum, until R. Oshia the Great came and taught: The holocaust has no prescribed quantity, even a minimum. But the sages said: The holocaust-offering should not be of less worth than a silver coin, and the feast-offering not less than two.

The expression in the above-cited Mishna for the holocaust is "the seeing" (Haraion). Now the question arises what is meant by "the seeing"? R. Johanan said: He can come to the court as many times as he likes to see it; the sacrifice, however, is only once in each festival. Resh Lakish, however, said: Every time he comes to visit the court he must offer a sacrifice. And they differ only during the whole year, not in the festivals. According to R. Johanan he may visit it without a sacrifice, but according to Resh Lakish he must bring a sacrifice, but both agree, in the festivals, he must come with a sacrifice, and one is sufficient for all days of the feast. And Resh Lakish agrees also that when one comes to visit in the middle of the year without a sacrifice, he may nevertheless enter the court and the Temple, but they differ when he came in the middle of the year and brought a sacrifice with him. According to R. Johanan it must not be accepted from him as an offering of the holocaust, because it is not prescribed how many times he should visit, but is prescribed that only one sacrifice in each festival. And according to Resh Lakish it may be accepted, because there is no prescribed quantity for sacrifices also, and he can sacrifice as much as he likes.

We have learned in a Boraitha: It is written [Prov. xxv. 17]: "Make thy foot scarce to the house of thy friend." From this we may infer: Thou shalt forbear to bring too many sin-offerings. Whence do we deduce this? Perhaps it means too many burnt-offerings or peace-offerings? It cannot be, for it is written [Ps. lxvi. 13]: "I will enter thy house with burnt-offerings; I will pay unto thee my vows (peace-offerings)." Now we see that burnt-offerings and peace-offerings he can offer when he likes. What, then, does the verse mean? Sin-offerings.

MISHNA: Burnt-offerings on the intermediate days come from ordinary things, but the peace-offerings from second-tithe. On the first day of Passover the School of Shammai say that

they come from ordinary things, but the School of Hillel say that they come from the second-tithe. Israelites generally fulfil their duty with vows and voluntary offerings, and with cattle-tithe, and the priests by the eating of sin-offering and of the trespass-offering, and by the first-born, and by the breast which hath been waved, and the shoulder which hath been lifted up, but not by eating of birds or of meal-offerings.

GEMARA: According to this Mishna, burnt-offerings are only to be sacrificed on the intermediate days, but not on the festival itself, and this would not be according to the School of Hillel concerning the Mishna in the next chapter? The Mishna is not completed, but must read thus: Burnt, vow, and voluntary offerings can be brought only on the intermediate days, not on the festival itself. The holocaust-offering, however, may be brought even on the festival. And when it is brought it must be only from ordinary things, but the peace-offerings of enjoying may be brought also from the second-tithe; the feast-offering, however, on the first day of Passover, the School of Shammai say, from ordinary things, and the School of Hillel say, from second-tithe. And so it was taught plainly in a Boraitha. Why is the feast-offering on the first day of the Passover different? Said R. Ashi: The Mishna comes to teach us only the feast-offering of the fifteenth of Nisan may be brought on the festival, but not of the fourteenth (which is brought together with the Paschal lamb). [From this we see that R. Ashi holds that the feast-offering of the fourteenth is not biblical.]

The Mishna says: The School of Hillel say: It may be brought from the second-tithe. Why? Is this not a duty-offering, and all that is a duty-offering must come from ordinary things? Said Ula: They meant to say, when he added the money of the second-tithe to the ordinary money. Hezkyah, however, said: An animal from second-tithe can be added to an ordinary animal, but with money it cannot be done so. R. Johanan, however, said: That, on the contrary, money to money can be added, but an animal to an animal cannot be added.

We have learned in one Boraitha in accordance with Hezkyah, another in accordance with R. Johanan.

"*Israelites fulfil their duty*," etc. The rabbis taught: It is written [Deut. xvi. 14]: "Thou shalt rejoice on thy feast," that is to add, all the moneys you have for rejoicing you can add to the money for this rejoicing. (It is said in another place that there is no rejoicing without meat, and as he has money

for the second-tithe as for other rejoicing, he can use it to eat the meat of the peace-offerings.) From this the sages infer that the Israelites can fulfil their duty with vow and voluntary offerings and with cattle-tithe; and the priest with sin and trespass-offerings, with the firstlings, and wave (breast) and heave (shoulder), lest one say, also with birds or meal-offerings. It is therefore written: "Thou shalt rejoice *thy* feast," and from this we may infer that all the things of which a feast-offering may be brought can be used for enjoying, excluding the above, of which a feast-offering cannot be brought. And R. Ashi said: From the expression only "Thou shalt *rejoice*" it can be inferred, because meal and fowls are not used for rejoicing.

MISHNA: He who has many to eat with him and few possessions brings more peace-offerings and fewer burnt-offerings. He who has more possessions than persons to eat with him brings more burnt-offerings and fewer peace-offerings. If one has little of both, to this case applies the saying about the meah of silver and the two pieces of silver. If he have enough of both, to this case applies the words: "Every man shall give as he is able, according to the blessing of the Lord thy God, which he hath given you" [Deut. xvi. 17].

GEMARA: More peace-offerings? Where should he take them? Said R. Hisda: He should add money, and shall bring a large bull. Ula said in the name of Resh Lakish: If one have separated ten animals for his feast-offerings, if he have offered five on the first festival, he may offer the other five on the second day of the festival. R. Johanan, however, said: As soon as he stopped offering, he shall not do it more. Said R. Abba: They do not differ, however. R. Johanan says he must do so, when he stopped, without any condition, but Resh Lakish meant the case when he said, when he stopped, that he would offer more. So it was taught also, that R. Shaman bar Abba said in the name of R. Johanan: The case where he cannot continue his offerings is only when he has no time to continue this day, and did not do so, but when he had time he may continue on the morrow.

MISHNA: If one has not offered the feast-offering on the first day of the festival, he may do it on any of the seven intermediate days, and even on the last day of the festival; but if the feast is over and he has not done it, he is not responsible for this. Of such a person is said [Eccl. i. 15]: "That what is crooked cannot be made straight, and what is defective cannot

be numbered." R. Simeon b. Manassea, however, said: Who is this that is crooked that cannot be made straight? That is he who forms an illegitimate connection and begets therefrom a bastard child. If you should say: Nay, it has to do with theft and plunder, then he could make restitution of it and be made straight? R. Simeon b. Jo'hai said: Nothing is called crooked that was not straight at the beginning and has become crooked. And what is this? A scholar that separates himself from the Law.

GEMARA: Whence do we deduce this? Said R. Johanan in the name of R. Ishmael: It is written of the seven days of Passover: "Assembly," and it is also written of the eighth day of the Feast of Tabernacles: "Assembly." As the eighth day of the Feast of Tabernacles is a completion, so also is the seventh day of Passover, and this expression is "empty" (seemingly superfluous), because if it would not be superfluous it could be objected to that the seventh day of Passover is not separated in anything from the former days, but the eighth day of the Feast of Tabernacles is separated from the former days in the offerings and in many things (as is stated in Succah). And in reality this expression "assembly" is superfluous: for let us see: What is meant by "assembly to the Lord thy God"? They shall assemble not to do any labor, and this is already written above [Deut. xvi. 8]: "You shall not do any labor." Why "assembly" again? Infer from this to make it "empty" for the analogy stated above. But the Tana of the Boraitha infers this from the following passage: It is written [Lev. xxiii. 41]: "Ye shall celebrate it as a feast unto the Lord seven days in the year." Might we assume he shall celebrate the holidays all the seven days? Therefore it is written "it"—*it* but not *all* the seven days. And for what purpose then is it written "seven days"? You must say, they are only for a completion. But whence do you know that if he has not offered the feast-offering on the first day, he may do so on all the succeeding six days of the festivals? Therefore it is written [ibid.]: "In the seventh month shall ye celebrate." If the seventh month, one might assume that he shall celebrate the whole month? Therefore it is written "it" (on the festival), but ye cannot do so outside of the festival.

"*If the feast is over*," etc. Said Ben Hei Hei to Hillel: If it is so, why is it written, "Cannot be numbered"? It should be written, "Fulfilled"? We must therefore say that this verse means,

that if a man was numbered among his colleagues for a religious duty, and he did not want to be numbered—of him is said the verse. So also we have learned plainly in a Boraitha (Berachoth). Ben Hei Hei again asked Hillel: It is written [Mal. iii. 18]: "And ye shall return and see the difference between the righteous and the wicked, between him that serveth God and him that has not served him." What is the difference between the righteous and the servant of God, or the wicked and him who serves not God? Is it not the same? And he answered: Both he who serves God and serves not are really upright men, but when one repeats his chapter of the Law one hundred times he is not equal to him who does it one hundred and one times. Said Ben Hei Hei again: Can the man be called upright who serves not God, because he did not repeat the one hundredth and first time? And he said: Yea, go and learn from the marketplace, where asses are hired: when one hires an ass for ten parsa, he pays one Zuz, but if for eleven, he must pay two.

Elijah said to Ben Hei Hei, according to others to R. Elazar: It is written [Is. xlviii. 10]: "Behold, I have refined thee, though not into silver: I have approved thee in the crucible of affliction." * Infer from this when the Holy One, blessed be He, looked for merits given to Israel, he found only poverty. Said Samuel, and according to others R. Joseph: This is what people say: Poverty becomes Israel as a red leather trapping a white horse.

"*R. Simeon b. Menassea*," etc. If born, yea, but if not, nay? Did we not learn in a Boraitha: Simeon b. Manassea said: If one has stolen something, he can return it and repair his sin; if one has robbed, he can return, and make all good, but he who has had a connection with his neighbor's wife, and disqualified her for his neighbor, this man is destroyed from the world, and is lost? R. Simeon b. Jo'hai said: We do not say, one shall examine a camel, or one shall examine a pig (because they are unfit, and there is nothing to examine). But what is to be examined? A sheep (which is fit for an offering). Perhaps it has received a blemish which makes it unfit—that is, a scholar who has departed from the Law. R. Jehudah b. Lakish said: Of a scholar who separated himself from the Law the verse [Prov. xxvii. 8] said: "As a bird that wandereth away from her nest, so is a man that wandereth away from his place." Of him is also

* *Oni* is translated "affliction," but by the Talmud "poverty."

written [Jer. ii. 5]: "What fault did your fathers find in me, that they went away from me?" (Now we see, however, that he who has a connection with his neighbor's wife, although he has no bastard born, is also destroyed from the world? It presents no difficulty: If he forced her, she may continue with her husband and he may repent and make it good, but if a bastard was born, she cannot live with her husband, and he is lost; but if he did it with her will, even when there is no bastard, he is lost). And if you wish I will say: In both cases it is when he used force. If he had a connection with the wife of a priest (who cannot live with her husband in any case), he is lost even when no bastard was born; and when it is stated that he is lost only when a bastard is born, the wife of a common man is meant.

It is written [Zech. viii. 10]: "And for him that went out or came in there was no peace." Said Rabh: That means, if a man goes out from the study of the Mishna to read the verses of the Bible, this man can have no more peace (because nothing can be decided from the verses without the commentary of the Mishna). Samuel, however, said: Even the man who separates himself from the Talmud to learn the Mishna (because nothing can be decided from the Mishna without the explanation of the Talmud). R. Johanan said: Even he who separates himself from the Palestinian Talmud, and goes to the Babylonian Talmud (because nothing is to be decided from the Babylonian Talmud, as it is said in Sanhedrin: "In dark places that he set me to dwell," etc. [Lam. iii. 6], which means, the Babylonian Talmud); and so explains Rashi; but Tosphath says, it can be explained *vice versa*, *i.e.*, one who goes from the Babylonian Talmud before understanding it thoroughly to the Palestinian Talmud, who will surely not understand it.

MISHNA: The laws about the dissolving of vows hang in the air, and have no basis (in the Bible). The Halakhath concerning Sabbath, feast-offerings, and trepasses are as mountains suspended by a hair, because the verses of the Bible concerning this are very few, and the Halakhath are very many. The jurisprudence, the Temple services, and the purification, and uncleanness, and the cases of illegal unions, have a basis in the Bible, and they are the essential parts of the Law.

GEMARA: We have learned in a Boraitha: R. Elazar, however, said: They have a basis in the Bible, as it is written: [Lev. xxvii. 2]: "If a man make a particular vow," and [Num.

vi. 2] it is written again: "Pronounce an especial vow." Why twice? It is to signify—one is to make the vow, the other is to dissolve it. R. Joshua said also: They have a basis, as it is written: [Ps. xcv. 11]: "So that I swore in my wrath." From this we infer, what I have sworn in my wrath, which later I recalled (and from this we infer, who swears, or vows when he is excited, or so, may later ask to have it dissolved). R. Itz'hak said: There is a basis from the following [Ex. xxxv. 5]: "Whosoever is of a willing heart." From this we may infer, he can make a vow with a willing heart, but otherwise he can ask for its being dissolved. Hananiah the son of R. Jehoshuah's brother said: Their basis is the following verse [Ps. cxix. 106]: "I have sworn and I will perform it, to observe thy righteous ordinances," and when he says, "I will perform it," he may sometimes not do it, although he has sworn, because he will ask it to be dissolved. Said R. Jehudah in the name of Samuel: If I would be there I would say to them: The following verse would be better than yours, viz. [Num. xxx. 3]: "He shall not profane his word." *He* shall not profane, but others can make him profane it. Said Rabha: To all said above I can object, but what Samuel said could not be objected to.

"*The Halakhath concerning Sabbath.*" Are not written many verses about Sabbath? Why do they say, they are as mountains suspended by a hair? It is prohibited only to labor with an intention, but what is and what is not labor with an intention is not written at all; but the Talmud concludes that it is such that was done in the Tabernacle, because the commandment of Sabbath immediately precedes the building of the Tabernacle [Ex. xxv.].

"*The offering of peace.*" Why, it is written? (It is said above, "Ye shall celebrate"? Yea, it is written, "Ye shall celebrate it," but where is it written an offering shall be brought?) This may be inferred from an analogy of expressions. It is written [Ex. v. 1]: "That they may hold a feast unto me in the *wilderness*," and it is written [Amos v. 25]: "Have ye offered unto me sacrifices and meat-offerings in the wilderness?" Hence as there is plainly stated "offerings," so also "hold a feast" means to bring offerings. Why, then, is it said, they are as mountains hanging by a hair? Because between the words of the law of the Pentateuch and the words of the Prophets we do not draw any analogies.

"*Trespass.*" Is that not written? Said Rabha: It means as

a case of the following Boraitha: If the owner has remembered, but his messenger did not remember, the messenger has trespassed. Now, what has the poor messenger done to trespass? That is, these laws are as mountains hanging by a hair.

"*In the Bible are very few*," etc. We have learned in a Boraitha: That about plagues, tents for a dead body, the verses are few, and the Halakhath are many. Is that so? Of plagues there are very many verses? Said R. Papa: The Boraitha meant to say thus: About plagues there are many verses, but few Halakhath; but about tents there are few verses, but many Halakhath. And what is the difference? That is, if one is doubtful in a Halakha concerning plagues, he should look up the Bible, but if he is doubtful concerning tents, he must look up the Mishnas.

"*Jurisprudence.*" (The Mishna says, it has only a basis. Is it only that?) Is it not written all about it? It is meant a case as in the following Boraitha: Rabbi said: What is written [Ex. xxi. 23]: "Life for life" means money. But whence do we deduce this? Perhaps it means life in the reality? Therefore here it is written: "Thou shalt give," and in the preceding verse it is written: "He shall give by the decision of the judges." As there it is to pay money only, so it is here.

"*The Temple services.*" Is this not written? It means to say about the bringing of the blood to the altar, as we have learned in a Boraitha. The passage [Lev. iv.] "shall *bring*" means "*receiving*" the blood, as it is a service that must be done by the priest with the observation of all the regulations of the Law.

"*Clean and unclean.*" Is this not written? The Mishna means, the prescribed quantity for a legal bath, which is not written at all. But about unclean things, is it not written? It means to say, the size of a lentil from a reptile defiles, which is not written.

"*Illegal unions.*" Is it not written about this plainly? It was necessary to meet the case of the daughter of a woman whom he has forced, which is not written about in the Bible and that is only drawn from an analogy of expression.

"*And they are the essentials of the Law.*" Are only these the essential parts? and the former not? Say, they are also.

CHAPTER II.

REGULATIONS CONCERNING PUBLIC LECTURES WHICH ARE AND WHICH ARE NOT ALLOWED.

MISHNA: One should not discuss illegal unions unless there were three besides him, nor the creation unless there were two besides him, nor the divine chariot with one individual, unless he was a wise man and had much knowledge of his own. Every one who tries to know the following four things, it were better for him if he had never come into the world, viz.: What is above and what is beneath, what was before creation, and what will be after all will be destroyed. And every one who does not revere the glory of his Creator, it were better for him he had not come into the world.

GEMARA: In the first part it is said: "The divine chariot with an individual" (because he may deviate from the tradition and add out of his own mind, and there will be nobody to remind him), and afterwards it is said: "Unless he is a wise man and will understand by himself?" (from this we infer, that no tradition is necessary). The Mishna meant to say thus: One must not lecture about illegal unions even to three, nor about the creation even to two, and not about the divine chariot even to one, unless the lecturer was a wise man and will understand himself to answer, if they will question him about something. Why so? Said R. Ashi: One must not lecture about illegal unions not mentioned in the Bible (*e.g.*, his daughter of a forced woman, or the mother of his father-in-law, which is drawn only from an analogy of expression?) And why not to three? This is common sense. If there are only two, the Master speaks to one, and the other listens to him. But if there are three, one listens, and the other two discuss it between them, and can err and come to a wrong conclusion to permit an unlawful thing. If it is so, why only about unlawful unions, the case should be the same with the whole Law? In case of unlawful unions it is different, because the Master says: Robbing and vice a man desires. If so, why only in case of illegal unions, let him not lecture about robbery

also to three? Robbery one desires when the thing to be robbed is in his presence, but this is desired in the party's absence also.

"*And not about creation to two.*" Whence do we deduce this? As stated in the following Boraitha: It is written [Deut. iv. 32]: "For do but ask of former days" (this is in the singular). From this we may infer, that *one* may ask, not *two*. Lest one assume that a man can ask, What was before the creation? therefore it is written [ibid.]: "Since the day that God created man from the earth"; but lest one assume, a man must not ask even what was done in the six days of creation? therefore it is written [ibid.]: "Which were before thee" [*i.e.*, the six days before]; lest one ask, What is above and what is beneath, what was before creation and what will be after it? therefore it is written [ibid.]: "From one end of the heavens unto the other end of the heavens," "but not what is beyond." [If we infer this from what is written: "From one end of the heavens unto the other end," why is needed the verse further: "Since the day that God created man upon the earth"? This is according to R. Elazar, who said that Adam was tall from the earth up to heaven, and after he had transgressed, the Holy One, blessed be He, laid His hand upon him, and made him lower, as it is written (Ps. cxxxix. 5): "Behind and before hast thou hedged me in, and thou placest upon me thy hand."]

R. Jehudah in the name of Rabh said: Ten things were created on the first day, and they are: heaven and earth; chaos and desolation; light and darkness; wind and waters; the measures of the day and those of the night—heaven and earth, for it is written [Gen. i. 1]: "In the beginning God created the heaven and the earth"; chaos and desolation, for it is written [ibid. i. 2]: "And the earth was without form and void (chaos)"; light and darkness—darkness, for it is written [ibid., ibid.]: "And darkness was upon the face of the deep"; light, for it is written [ibid. i. 3]: "And God said, Let there be light"; wind and water, for it is written [ibid. i. 2]: "And the spirit (wind) of God was waving over the face of the waters"; the measures of the day and those of the night, for it is written [ibid. i. 5]: "And it was evening, and it was morning, the first day."

We have learned in a Boraitha: Chaos is a green line compassing all the world, and from it darkness springs, as it is written [Ps. xviii. 12]: "He made darkness his hiding place, round about him." Desolation—this means the stones covered

with mud, which are sunk in the deep, from which waters come forth, as it is written [Is. xxxiv. 11]: "And he shall stretch out over it the line of destination and the weights of desolation."

Was light created on the first day? Is it not written [Gen. i. 17]: "And God set them in the expansion of the heaven," and also [ibid. i. 19]: "And it was evening and it was morning the fourth day"? This is as R. Elazar said: The light which the Holy One created on the first day, Adam saw by its means from one end of the world to the other. When the Holy One considered the generation of the flood and the generation of the dispersion, and that their works were vain, He took it from them and concealed it for the upright in the world to come. In this, however, the following Tanaim differ, as we have learned in a Boraitha: The light which the Holy One, blessed be He, created on the first day, Adam observed and saw by its means from one end of the world to the other. So said R. Jacob. But the sages said: These are the luminaries which were created on the first day, but were not hung up until the fourth day.

R. Zutra bar Tobiah in the name of Rabh said: By ten things the world was created: by wisdom and by understanding; by knowledge and by strength; by rebuke and by might; by righteousness and by judgment; by mercy and by compassion.* R. Jehudah in the name of Rabh said: At the time that the Holy One, blessed be He, created the world it went spreading on like two clews of shoot and warp, until the Holy One, blessed be He, rebuked it and brought it to a standstill, as it is written [Job xxvi. 11]: "The pillars of heaven tremble greatly, and are astounded at his rebuke." And this is what Resh Lakish also said: What is meant by [Gen. xvii. 1]: "I am the Almighty God"? (שַׁדַּי). It means: I am He *Who* (שֶׁ) said to the world, "*Enough*" (דַּי). Resh Lakish said again: At the time the Holy One, blessed be He, created the sea, it went spreading on, until the Holy One, blessed be He, rebuked it and made it dry, for it is written [Nah. i. 4]: "He rebuketh the sea and maketh it dry; and all the rivers he dried up."

The rabbis taught: The School of Shammai say: The heavens were created in the beginning, and afterwards the earth was created, for it is written [Gen. i. 1]: "In the beginning God created the heaven and the earth." But the School of Hillel say: The earth was created in the beginning, and afterwards the

* All these are deduced from passages. See foot-note further on.

heavens, for it is written [Gen. ii. 4]: "On the day that the Lord God made *earth* and heaven." Said the School of Hillel to the School of Shammai: According to your words, a man builds an upper story, and afterwards builds a house; and the heavens are the upper story, as it is written [Amos ix. 6]: "That buildeth in the heavens his steps, and hath founded his vault over the earth." Said the School of Shammai to the School of Hillel: According to you, a man makes a footstool, and afterwards makes a throne, as it is written [Is. lxvi. 1]: "Thus saith the Lord, The heaven is my throne, and the earth is my footstool." The sages say: Both were created together, as it is written [ibid. xlviii. 13]: "My hand also hath laid the foundation of the earth, and my right hand hath spanned out the heavens. I call unto them, they stand forward together."

What is meant by "heavens"? Said R. Jose bar Hanina: It means, the place where there is water. In a Boraitha it is explained as equivalent to fire and water, thus teaching that the Holy One, blessed be He, brought them and mingled them one with the other, and made from them the firmament. R. Ishmael questioned R. Aqiba when they were on the road: Thou art one who hast served for twenty-two years Na'hum, the man of "Gimzu," the man who expounded the meaning of all the particles "*eth*" (the) which are in the Law. What was his exposition of "Eth-ha-shamayim v'eth haaretz"? R. Aqiba answered: If the words had been simply: First created God heaven and earth, I should have said, "Heaven" is another name of God. But as it is now, all know that heaven and earth are to be taken in the literal meaning. And why do I find the expression "*v'eth haaretz*"? To show that heaven preceded the earth.

There is a Boraitha of R. Jose which says: Woe to the creatures which see and know not what they see, which stand and know not upon what they stand. Upon what does the earth stand? Upon the pillars. The pillars stand upon the waters; the waters upon the mountains; the mountains upon the wind; the wind upon the storm;* the storm is suspended upon the strength of the Holy One, blessed be He, as it is written [Deut. xxxiii. 27]: "And here beneath, the everlasting arms." The sages say: It stands upon twelve pillars, as it is

* There are here adduced biblical passages for every statement, but we omitted them, as they are not in point.

written [Deut. xxiii. 8]: "He set the bounds of the tribes according to the number of the sons of Israel." According to others, seven pillars, as it is written [Prov. ix. 1]: "She had hewn out her seven pillars." R. Elazar b. Shamua said: Upon one pillar, and its name is Zaddik (The Righteous), as it is written [Prov. x. 25]: "But the righteous is an everlasting foundation." R. Jehudah said: There are two firmaments, as it is written [Deut. x. 14]: "Behold, to the Lord thy God belong the heavens and the heavens of the heavens." Resh Lakish said, they are seven, viz.: Vilon, Rakia, Shchakim, Zbul, Maon, Makhon, Araboth. Vilon serves no purpose whatever save this, that it enters in the morning, and goes forth in the evening, and renews every day the work of creation. Rakia is that in which are set sun and moon, stars and constellations. Shchakim is that in which the millstones stand and grind manna for the righteous. Zbul is that in which is the heavenly Jerusalem and the Temple, and the altar is built there, and Michael the great prince stands and offers upon it an offering. Maon is that in which are companies of ministering angels, who utter His song in the night and are silent in the day for the sake of the glory of Israel. Resh Lakish said: Every one who studied in the Law in this world, which is like the night, the Holy One, blessed be He, stretches over him the thread of grace for the future world, which is like the day, as it is written: "By the day the Lord gives his merciful command, and by night his song is with me." Makhon is that in which are the treasures of hail, and the high dwelling-place of harmful dews and the high dwelling-place of the round drops, and the chamber of the whirlwind and of the storm, and the retreat of noisome vapor; and their doors are made of fire. Araboth is that in which are righteousness and judgment and grace, the treasures of life and the treasures of peace and the treasures of blessing, and the souls of the righteous and the spirits and souls which are about to be created, and the dew with which the Holy One, blessed be He, is about to quicken mortals. There also are celestials and seraphs and holy beings and ministering angels and the throne of glory, and the King, the Living God, high and lifted up, sitting over them among the clouds, and darkness and cloud and thick darkness surround Him. How is there darkness in the presence of the Lord? Is it not written [Dan. ii. 22]: "He is that revealeth what is deep and secret: he knoweth what is in the darkness, and the light dwelleth with him"? This presents no difficulty.

The one refers to that which is within, the other to that which is without. R. A'ha bar Jacob said: There is again a firmament above the heads of the living creatures, for it is written [Ezek. i. 22]: "And the likeness of a vault was over the head of the living creatures, shining like the glitter of the purest crystal." So far thou hast permission to speak. Thenceforward thou hast not permission to speak. For thus it is written in the book of Ben Sira: Seek not out the things that are too hard for thee, and into the things that are hidden from thee inquire thou not. In what is permitted to thee instruct thyself; thou must not discuss secret things.

We have learned in a Boraitha: Rabban Johanan b. Zakkai said: What answer did the heavenly voice make to that wicked man at the time when he said [Is. xiv. 14], "I will ascend above the heights of the clouds; I will be equal to the Most High"? The heavenly voice said to him: Thou wicked man, son of a wicked man, grandson of Nimrod the Wicked, who led all the world to rebel against Him in his kingdom, how many are the years of a man? Seventy years, as it is said [Ps. xc. 10]: "The days of our years in this life are seventy years, and if by uncommon vigor they be eighty . . . " And is not from the earth to the firmament a journey of five hundred years, and so too the interspace of the firmaments? Above there are the holy living creatures. The feet of the living creatures are of corresponding measure to all the things mentioned above, the ankles of the living creatures are of corresponding measure, the legs of the living creatures are of corresponding measure, the knees of the living creatures are of corresponding measure, the thighs of the living creatures are of corresponding measure, the bodies of the living creatures are of corresponding measure, the necks of the living creatures are of corresponding measure, the heads of the living creatures are of corresponding measure, the horns of the living creatures are of corresponding measure. Above them is the throne of glory. The feet of the throne of glory are of corresponding measure. The throne of glory is of corresponding measure. The King, the Living and Eternal God, high and lifted up, sitteth upon them. And thou didst say: "I will ascend above the heights of the clouds; I will be equal to the Most High"? Yet thou shalt be brought down to hell, to the uttermost parts of the pit.

"*Nor the divine chariot with one.*" R. Hyya taught: But you may impart to him the quintessence of the chapters. Said

R. Zera: Even that may only be imparted to a chief of the Beth Din, and only then when his heart yearns for knowledge.

R. Ami said: The secrets of the Law may be imparted only to the one who has the five prescribed things, viz. [Is. iii. 3]: "The captain of fifty, and the honorable man, and the counsellor, and the skilful artificer, and the eloquent orator." R. Johanan said to R. Elazar: Come, I will fully instruct thee in the subject of the divine chariot. He said to him: I am not old enough. When he was old enough, R. Johanan's soul had passed away. R. Asi said to him: Come, I will fully instruct thee in the subject of the divine chariot. He said to him: If I had been worthy, I should have received full instruction from R. Johanan, thy teacher. R. Joseph was giving full instruction in the subject of the divine chariot. The sages of Pumbeditha were teaching the subject of creation. They said to him: Would the master instruct us fully in the subject of the divine chariot? He answered them: Instruct me in the subject of creation. After they had instructed him, they said to him: Would the master instruct us in the subject of the divine chariot? He answered: In reference to this we have learned in a Boraitha: It is written [Song of Songs iv. 11]: "Honey and milk are under thy tongue." That means, let words sweeter than honey and milk be under thy tongue. R. Abuhu infers the same thing from the following passage [Prov. xxvii. 26]: "The sheep are for thy clothing." That means, things that are the secrets of the world shall be under thy clothes. They said to him: We have worked in them as far as the words [Ezek. ii. 1]: "And he said unto me, Son of man." And he said to them: But this is the real subject of the divine chariot.

The rabbis taught: It happened once that a certain child, who was reading in his teacher's house in the Book of Ezekiel, was pondering over 'Hashmal, and there came out fire from 'Hashmal and burnt him, and they sought in consequence to conceal the Book of Ezekiel. Said Hananiah b. Hezkyah to them: If he was wise, are then all wise?

It is written [Ezek. i. 4]: "And I saw, and behold, a storm wind came out of the north, a great cloud, and a flaming fire, and a brightness was on it round about; and out of the midst of it was like the glitter of amber, out of the midst of the fire." Whither did it go? Said R. Jehudah in the name of Rabh: It went forth to subdue the whole world under the wicked Nebuchadnezzar. And this was done that the nations might not

say: The Holy One, blessed be He, delivered His children into the hands of a low nation. The Holy One, blessed be He, said: What forced Me to minister to worshippers of carved images? The iniquities of Israel, they forced me. It is written [ibid. i. 15]: "And I looked on the living creatures, and behold, there was one wheel upon the earth close by the living creatures." Said R. Elazar: It means a certain angel who stands upon the earth, and his head reaches to the level of the living creatures. In a Tosephtha we are taught that his name is Sandalphon, who is higher than his fellows by the space of a journey of five hundred years, and he stands behind the divine chariot and binds crowns for his Creator. This is not so, as it is written [Ezek. iii. 12]: "Blessed be the glory of the Lord from his place." From this we may infer that His place is impossible to know? He utters one of the holy names of the Lord over the wreath, and thereupon he goes and rests by His head. Rabha said: All which Ezekiel saw Isaiah saw, but Ezekiel was like a villager who saw the king for the first time (and therefore he said all that he has seen); Isaiah, however, was like a townsman who has often seen the king (and therefore he said little).

Resh Lakish said: What is the meaning of the passage [Ex. xv. 1]: "I will sing unto the Lord, for he hath triumphed gloriously"? It means a song to Him who takes His place proudly above the high, as the Master said: The king among living creatures is a lion; the king among domestic beasts is an ox; the king among birds is an eagle, but man takes his place proudly above them, and the Holy One, blessed be He, takes His place proudly above them all, and above the whole world in its entirety. We have learned in a Boraitha: Rabbi said in the name of Abba Jose b. Dosai: It is written [Dan. vii. 10]: "Thousand times thousands ministered unto him." This is the number of one troop, but *all* his troops cannot be numbered. R. Jeremiah bar Abba, however, said: This passage refers to the fiery stream, as it is written [ibid., ibid.]: "A stream of fire issued and came forth from before him; thousand times thousands ministered unto him; and myriad times myriads stood before him." Whence does it come forth? From the perspiration of the living creatures. And upon what is it poured? Said R. Zutra bar Tobiah in the name of Rabh: Upon the heads of the wicked men in Gehenna, as it is written [Jer. xxiii. 19]: "Behold, the storm wind of the Lord is gone forth in fury; yea, a whirling storm upon the head of the wicked shall it fall grievously." R.

A'ha bar Jacob said: Upon those who were held back, as it is written [Job xxii. 16]: "Who were shrivelled up before their time, whose foundation was flooded away like a river?" There is a Boraitha to the effect that R. Simeon the Pious said: There are nine hundred and seventy-four generations which were held back from being created. The Holy One, blessed be He, scattered them through all the successive generations, and these are the impudent (עזי פנים) who are in a generation. R. Na'hman bar Itz'hak, however, said: On the contrary, this passage refers to those who are wrinkled for blessing, as it is written: As for these scholars who have become wrinkled over the words of the Law in this world, the Holy One, blessed be He, discloses to them the secrets of the world to come, as it is written [Job xxii. 16]: "Whose foundation was flooded away like a river."

Samuel said to Hyya bar Rabh: Thou son of a scholar, come and I will tell thee something of those noble words which thy father used to say: Every several day ministering angels are created from the fiery stream, and they utter a song and perish, as it is written [Lam. iii. 23]: "They are new every morning; great is thy faithfulness."

When R. Dimi came he said: Eighteen curses did Isaiah pronounce upon Israel, and he was not satisfied, until he had spoken against them this passage [Is. iii. 5]: "The boy shall demean himself proudly against the ancient, and the base against the honorable."

What are the eighteen curses? The following [Is. iii. 1–4]: "For, behold, the Lord, the Eternal of hosts, doth remove from Jerusalem and from Judah stay and staff, every stay of bread, and every stay of water. The hero and the men of war," etc., etc. "Stay"—these are the learned in the Law. "Staff"—these are the learned in the Mishna; *e.g.*, R. Jehudah b. Tema and his fellows. [R. Papa and the rabbis differ in respect to this: One says, there were six hundred sections of Mishna, and another says, there were seven hundred sections.] "Every stay of bread"—these are the learned in Talmud, as it is written [Prov. ix. 5]: "Come, eat of my bread, and drink of the wine which I have mingled." "And every stay of water"—these are the learned in Agada, who draw a man's heart like water by means of Agada." "The hero"—this is the man versed in oral tradition. "And the man of war"—this is he who knows how to handle matters in the battle of the Law. "The judge"—this

is a magistrate who gives decisions faithfully. "And the prophet"—this is in its literal meaning. "The prudent"—this is a king, as it is written [Prov. xvi. 10]: "There should be a wise sentence on the lips of the king." "And the ancient"—this is he who is worthy to sit as a teacher presiding over an academy. "The captain of fifty"—this is in accordance with R. Abuhu, who saith: From this we may infer, that an interpreter who is less than fifty years old is not appointed over the congregation. "And the honorable man"—this is he for whose merits his generation is forgiven; by Heaven (*e.g.*, R. Hanina b. Dosa); in this world (*e.g.*, R. Abuhu in the house of Cæsar). "And the counsellor"—one who knows how to intercalate years and to fix months. "And the skilful"—this is the disciple who, by his keenness, sharpens the minds of his teachers. "Artificer"—at the time he is unfolding the words of the Law all are made like deaf men. * "And the eloquent"—this is he who, having knowledge of one thing, can derive therefrom knowledge of another thing. † "Orator"—this is he to whom it is fitting to impart the words of the Law, which is given in a whisper (*e.g.*, the subject of the divine chariot. See page 21). "And I will set up boys as their princes"—that is, as R. Elazar said: These are men who are deprived of good works. ‡ "And children shall rule over them"—as R. A'ha bar Jacob said: These are foxes and sons of foxes. § And he was not satisfied until he had said to them: "The boy shall demean himself proudly against the ancient," etc. [ibid., ibid.]—these are the men who are deprived of good works. They shall demean themselves proudly against the one who is filled with good works as a pomegranate. "And the base against the honorable"—*i.e.*, that one to whom heavy sins are like light ones will demean himself proudly against the one to whom light sins are like heavy ones.

R. Kattina said: Even at the time of the destruction of

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* The Hebrew term is חרשים, and is explained to have the same meaning as חֵרֵשׁ, a deaf man.

† The Hebrew terms are נבון לחש, the literal meaning of which is "the instructed whisperer," but we give in the text Loesser's translation.

‡ The Hebrew term is נערים, which means also "to shake off, to be deprived," as in (Judges xvi. 20) וְאִנָּעֵר.

§ The Hebrew term is תעלולים, and is interpreted here as derived from the Aramaic תעל, a fox; *i.e.*, men who are shrewd as a fox, but deprived of any good qualifications.

Jerusalem there did not cease from them faithful men. Is that so? Did we not learn: Rabha said: Jerusalem was not laid waste till there ceased from it faithful men, as it is written [Jer. v. 1]: "Roam about through the streets of Jerusalem, and see now, and notice, and search in its broad places, if ye can find one man, if there be one who executeth justice, that searcheth for truth: and I will pardon it"? This presents no difficulty. The former means, faithful in the study of the Law, and the latter means, honesty in common business.

The rabbis taught: It happened with Rabban Johanan b. Zakkai that he was riding upon his ass and was travelling on the road, and R. Elazar b. Arakh was behind him, as driver. Said the latter to him: Rabbi, teach me a chapter on the subject of the divine chariot. And he answered him: Have I not taught you: Nor the chariot with one individual, unless he was a wise man and had much knowledge of his own? Then he said to him: Rabbi, allow me to say before thee one thing which thou hast taught me. He allowed him. Immediately R. Johanan b. Zakkai dismounted from the ass, and wrapped himself up and seated himself upon the stone under the olive tree. R. Elazar asked him: Rabbi, wherefore didst thou dismount from the ass? He answered him: Is it right that thou shouldest investigate the subject of the divine chariot, and the Shekhina is with us and ministering angels accompany us, and that I should ride upon the ass? Then R. Elazar b. Arakh entered upon the subject of the divine chariot and lectured: And there descended fire from heaven and encircled all the terebinth trees of the field, which uttered a song. [What was the song which they uttered? [Ps. cxlviii. 7, 9, 14]: "Praise the Lord from the earth, ye sea monsters, and all deeps . . . fruitful trees and all cedars . . . Hallelujah."] An angel answered from the fire: *This* is the real subject of the divine chariot. R. Johanan arose and kissed him upon his head, and said: Blessed be the Lord God of Israel who hath given to our father Abraham a son who is able to understand and lecture on this subject. There is one who lectures well, but doth not perform well. There is one who performeth well, but does not expound well. Thou dost expound well and dost perform well. Blessed art thou, Abraham our father, from whose loins hath come forth Elazar b. Arakh.

And when these things were told to R. Joshua, he and R. Jose the priest were travelling on the road. They said: Let us also expound on the same subject. R. Joshua opened his mouth

and lectured: And it was the day of the summer solstice. The heavens were wrapped in clouds, and there appeared the form of a bow in the cloud, and the angels were assembling and coming to hearken, as the men assemble and come to look at the festivities of bridegroom and bride. R. Jose the priest went forward and related the whole occurrence to Rabban Johanan b. Zakkai, who said: Blessed are ye, and blessed is she that bare you. Blessed are mine eyes, that they have thus seen. And also in my dream I and ye were resting upon Mount Sinai, and a heavenly voice was heard, which said: Come up hither, come up hither. Large banqueting chambers are prepared and fair coverlets are spread for you, you and your disciples and your disciples' disciples, as fitted to attain to the third degree of blessedness.

Is it so? Have we not learned in a Boraitha: R. Jose in the name of R. Jehudah said: There were three consecutive expositions. R. Joshua explained things before R. Johanan b. Zakkai; R. Aqiba explained things before R. Joshua; Hananiah b. Hachinai explained before R. Aqiba. Hence we see that R. Elazar b. Arakh was not mentioned. (This presents no difficulty:) He who teaches and before whom others teach *is* mentioned, while he who teaches and before whom others do not teach is not mentioned. But was not Hananiah b. Hachinai one who taught and before whom others did not teach? And still he was mentioned? Yea, for he taught at least in the presence of one who taught others.

The rabbis taught: Four men went up into the heavenly garden,* and they were: Ben Azzai and Ben Zoma, A'her and R. Aqiba. Ben Azzai gazed and died;† to him the scriptural passage may be applied [Ps. cxvi. 15]: "Grievous in the eyes of the Lord is the death of his pious ones." Ben Zoma gazed and went mad; to him the scriptural passage may be applied [Prov. xxv. 16]: "Hast thou found honey? eat so much as is sufficient for thee, lest thou consume too much of it, and have to vomit it forth." A'her cut the plants.‡ R. Aqiba departed

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* The Hebrew term is *Pardes*, meaning "a garden"; the commentaries explain it to mean "heavenly." Tosaphoth states: "They did not go up literally, but it appeared to them as if they went up." See Streane's "Hagigah," p. 83.

† In the Palestinian Talmud it reads: Ben Zoma gazed and died; Ben Azzai gazed and was injured. This seems to be the more correct, as can be seen from many other places in the Babylonian Talmud and Tosephtha. See our "Eben Harosha," at the end.

‡ These terms are used because he speaks of a garden; *i.e.*, in some way made bad use of his learning.

in peace.* A'her cut the plants; it is to him that the scriptural passage may be applied [Eccl. v. 6]: "Suffer not thy mouth to cause thy body to sin." There came out a heavenly voice and said [Jer. iii. 14]: "Return, O backsliding children" (except A'her). When he learned it he said: Inasmuch as that man is excluded from yonder world, let him go and enjoy himself in this world. A'her went forth into evil courses. A'her asked this question of R. Meir, after he had gone forth into evil courses: What is the meaning of the passage [Eccl. vii. 14]: "Also this hath God made in equal measure with the other"? He answered him: Everything which the Holy One, blessed be He, created, He created with its counterpart. He created mountains; He created hills: He created seas; He created rivers. He said to him: R. Aqiba thy teacher did not say so, but he explained it as meaning that He created righteous; He created sinners: He created the Garden of Eden; He created Gehenna. To every individual belongs two shares, one in the Garden of Eden and one in Gehenna. If one is meritorious and righteous, he receives his own portion and also the portion of his neighbor in the Garden of Eden. If he has incurred guilt, he receives his own portion and also the portion of his neighbor in Gehenna. [R. Mesharshia said: What is the Scripture proof? As regards the righteous it is written [Is. lxi. 7]: "Therefore in their hand shall they possess a twofold (portion)"; as regards the wicked it is said [Jer. xvii. 18]: "And strike them with a double breach."]

A'her asked again of R. Meir: What is the meaning of the passage [Job xxviii. 17]: "She cannot be estimated after gold and glass; and not in exchange for her (can) vessels of refined gold (be taken)"? He answered him: These are the words of the Law, which are difficult to buy, as vessels of gold and of pure gold, and are easily lost, as vessels of glass. He said to him: R. Aqiba thy teacher did not say so, but he explained it as meaning that as vessels of gold and vessels of glass, although they are broken, may be mended, so a disciple of the sages, although he have sinned, may be mended. He said to him: Return thyself also. He answered him: I have already heard from behind the curtain [Jer. iii. 14]: "Return, O backsliding children" (except A'her).

* We have omitted here a question put to Ben Zoma, for the reason that the same was inserted in the Talmud not by the Talmudists. See our "Eben Sapir," p. 56. Also, what happened to Ben Zoma with R. Jehoshua b. Hananiah, as it seems to us the version of the Palestinian Talmud is correct. See note above.

The rabbis taught: It happened that A'her was riding upon his horse on the Sabbath, and R. Meir was walking behind him to learn the Law from his mouth. He said to him: Meir, turn thee backwards, for I have already measured by means of my horse's hoofs up to this point the legal limit of the Sabbath. He answered him: Return thyself also. He said to him: And have I not already answered thee what I have heard from behind the curtain? He forced him to enter a place of lecturing. He said to a child: Repeat for me thy verse. He said to him [Is. xlviii. 22]: "There is no peace, saith the Lord, unto the wicked." He brought him to another synagogue, until he had brought him into thirteen synagogues. They all repeated to him the same way. In the last one he said to him: Repeat for me thy verse. He said to him [Ps. i. 16]: "But unto the wicked God saith: What hast thou to do to relate my statutes, and why bearest thou my covenant upon thy mouth?" That child was a stammerer. It sounded as if he had said: "And to Elisha said God," etc.* And he said: If there had been a knife in my hand I would have cut him in pieces.

When A'her died it was said: Let him not be brought into judgment (because he has studied the Law), but let him not be admitted to the world to come (because he sinned). R. Meir said: It would have been better if he would have been brought to judgment and punished, and then admitted to the world to come. I wish I would die, in order that smoke should go up from his grave (*i.e.*, that he should be brought to judgment). When R. Meir died it was so: smoke went up from the grave of A'her. Said R. Johanan: A mighty deed it was to consign his teacher to the flames. There was one among us, and we should not find a way to save him? If I take him by the hand, who will snatch him away from me? Would that I might die and extinguish the smoke from his grave. And it was so. When R. Johanan died the smoke ceased from the grave of A'her. The public mourner then uttered this expression over him: Even the keeper of the door of Gehenna stood not his ground before thee, O our teacher!

The daughter of A'her came to Rabbi and asked him for food. He said to her: Whose daughter art thou? She an-

* The Hebrew term is "Ul'rosha" ("to the wicked"), and because of the stammering it sounded as "Ul'Elisha," which was the true name of אחר, this latter meaning "another"—*i.e.*, not Elisha, because it was not believed that the great Tana Elisha should have deserted the true teachings.

swered: I am the daughter of A'her. And he said to her: Is there still of his seed in the world? Is it not written [Job xviii. 19]: "He will have neither son nor grandson among his people, nor any that escapeth in the places of his sojourning"? She said to him: Remember his studiousness, and not his deeds. Immediately there came down fire, and consumed the seat of Rabbi. Rabbi wept and said: And if those who disgrace themselves through it, are honored thus, how much more those who obtain praise through their use of it.

How did R. Meir study the Law from the mouth of A'her? Have we not learned (see Tract Moed Katan) that if it is not certain that the rabbi is equal to an angel, no instruction must be received from him? Said Resh Lakish: R. Meir interpreted the following passage thus [Prov. xxii. 17]: "Incline thine ear, and hear the words of the wise, and apply thy heart unto my knowledge." It is not written, "Unto *their* knowledge," but "unto *My* knowledge." R. Hanina said the following passage [Ps. xlv. 11]: "Hearken, O daughter, and look and incline thy ear, and forget thy own people, and thy father's houses," etc. But do not these passages contradict each other? Nay, the one is the case of an adult, the other of a young person (who cannot distinguish between good and evil).

When R. Dimi came he said: They say in the West: R. Meir, while eating the date, he threw away the stone (*i.e.*, he picked out the good and threw away the bad teachings).

Rabha expounded the meaning of the passage [Song of Songs vi. 11]: "Into the nut-garden was I gone down, to look about among the plants of the valley," etc. Why are scholars likened to a nut? It means to say that, as a nut, although soiled, what is within it is clean: so also, although a scholar has sinned, his study of the law is not rejected.

Rabba bar Shila met Elijah and said to him: What is the Holy One, blessed be He, doing? He answered him: He had uttered doctrine in the name of all other rabbis, but in the name of R. Meir He had not uttered. He said to him: Why? Because he learned doctrine from the mouth of A'her. He said to him again: Why? R. Meir found a pomegranate. He ate its inside and cast away its husk. He answered him: He is at this moment saying: Meir my son is speaking and says: At the time that men were afflicted, the Shekhina used the following language: My head and my arm are heavy on me (*i.e.*, I am sorry that the men I have created have to die for their sins). If the

Holy One, blessed be He, is thus grieved when the blood of wicked men is poured out, how much more when the blood of the righteous man is poured out.

Samuel found R. Jehudah when the latter was swinging upon the bolt of a door and weeping. He said to him: Is it a small thing that is written concerning the rabbis [Is. xxxiii. 18]: "Where is he who wrote down? where is he that weighed? where is he that counted the towers"? "Where is he that counted?" for they counted all the letters that are in the Books of the Law. "Where is he that weighed?" for they weighed the light and the heavy things which are in the Law. "Where is he that counted the towers?" for they taught three hundred doctrines concerning the tower which flies in the air. And R. Ami said: Three hundred questions were treated by Doeg and Ahithophel concerning the tower which flies in the air. And we learned, however, in a Mishna (Tract Sanhedrin, chap. xi. 1): Three kings and four private persons have no position in the world to come, and we—what will there be for us? He said to him: Oh, clever one, there was uncleanness in their hearts.

It was said about A'her: Greek melody ceased not from his mouth, as it was said of him (A'her), that at the time when he stood up to go out of the college many books of the Minim used to fall from his lap.

Nimus of Gardi * asked R. Meir: Does all wool which goes down to the dyeing-vat come up with the right color? He answered him: All which was clean on its mother's (sheep's) back does so come up; all which was not clean on its mother's back does not so come up.

It is said above: R. Aqiba went into the heavenly garden in peace and came down from it in peace. And it is to him that the scriptural passage may be applied [Song of Songs i. 4]: "Oh, draw me! after thee will we run." Nevertheless R. Aqiba was also in danger of being thrust away by the angels, but the Holy One, blessed be He, said to them: Leave this elder, for he is worthy to avail himself of My glory.

What kept R. Aqiba from being misled, as was A'her? The passage [1 Kings xix. 11, 12]: "But not in the wind was the Lord; and after the wind was an earthquake, but not in the

* Nimus of Gardi was a Gentile, and it is stated of him in Midrash that he was one of the greatest men that ever lived among the nations. The modern writers differ very much as to who he was, but we showed in our "Saneiger," p. 193, that he was one of the judges of the Supreme Criminal Courts of Gardum.

earthquake was the Lord; and after the earthquake was a fire, but not in the fire was the Lord; and after the fire was the sound of a soft whisper. And, behold, the Lord passed by" (*i. e.*, from the whisper he understood that there was the Shekhina).

The rabbis taught: Six things are said with regard to demons, three in which they are like the angels: they have wings, they float from one end of the world to the other, and they know what is about to be; and three in which they are like men: they eat and drink, they are fruitful and multiply, and they are mortal.

Six things are said with regard to men, three in which they are like angels: they have knowledge like the angels, they go with stature erect, and they speak in the holy language; and three like the beasts: they eat and drink like beasts, and they are fruitful and multiply, and they relieve nature.

"*Every one who does not respect the glory*," etc. What is meant by this? Said R. Joseph: This is the man who commits a transgression secretly. This is in accordance with R. Itz'hak, who said: Every one who committeth a transgression secretly is as though he jarred the feet of the Shekhina, as it is written [Is. lxvi. 1]: "Thus hath said the Lord, The heaven is my throne and the earth is my foot-stool." But this is not so, for R. Alea the Elder said (in Tract Moed Katan), that in such a case he may go to a place where he is not known? (as it will be explained in Moed Katan). This presents no difficulty. The former is the case of a man who has found a means of checking his evil nature; the other, of one who is not able to do so.

R. Jehudah in the name of R. Na'hmani, the interpreter of Resh Lakish, lectured: Every one who gazes upon three things, his eyes grow weak, viz.: upon the bow, and the prince, and the priests. Upon the bow, for it is written [Ezek. i. 28]: "Like the appearance of the bow that is in the cloud on the day of rain . . . this was the appearance of the likeness of the glory of the Lord." Upon the prince, for it is written [Num. xxvii. 20]: "And thou shalt put some of thy greatness upon him." * He that gazeth upon the priests—this has to do with the time that the Temple was in existence, when they stood upon their platform and blessed Israel in the ineffable name.

The same lectured again in the name of the same authority:

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* Such hagadical statements must not be taken literally, merely in their allegorical sense. Some of them we will explain in our introduction to the Hagadah.

It is written [Mic. vii. 5]: "Trust ye not in a friend, put ye not confidence in a confidant." It means, if the evil imagination say to thee, Do thou sin and the Lord will forgive, be not persuaded, as it is written: "Trust ye not in an evil one";* and "an evil one" is nothing but the evil imagination, as it is written [Gen. viii. 21]: "The imagination of a man's heart is evil"; and there is no "guide" but the Lord, as it is written [Jer. iii. 4]: "My father, the guide of my youth art thou." Perhaps one might say, Who witnesseth against me? The stones of a man's house and the timbers of his house, these witness against him, as it is written [Hab. ii. 11]: "For the stone will cry out of the wall, and the beam out of the wood (work) will answer it." The sages say: The soul of a man witnesseth against him, as it is written [Mic. vii. 5]: "From her that lieth in thy bosom guard the doors of thy mouth." What is this that lieth in a man's bosom? Say, it is the soul. R. Zerika said: The two angels which lead him, these witness against him, as it is written [Ps. xci. 11]: "For his angels will he give charge concerning thee, to guard thee on all thy ways." Others say: The limbs of one's body testify against him, as it is written [Is. xliii. 12]: "And ye are my witness, saith the Lord, and I am God."

MISHNA: Jose b. Joezer says that one must not lay on his hand (on a sacrifice on a biblical festival), but Joseph b. Johanan says that one may. Joshua b. P'ra'hia says that one must not lay it, but Mathai the Arbelite says that one may. Jehudah b. Tabbai says that one must not, but Simeon b. Sheta'h says he should. Sh'maia says he must, but Abtalian says he must not. Hillel and Mena'hem did not differ. Mena'hem went out (left the Sanhedrin); Shammai entered it. Shammai says one must not; Hillel says one may. The first of the several pairs were princes, the second to them were chiefs of the court.

GEMARA: The rabbis taught: In the three former pairs, which say that a man is not to lay, and in the two latter pairs, which say that a man is to lay, the first were princes and the second chiefs of the court. So said R. Meir. But the sages say: Jehudah b. Tabbai was a chief of the court and Simeon b. Sheta'h was a prince.

"*Mena'hem went out*," etc. Whither did he go out? Said Rabha: He went out from the service of the king. We have

* The Hebrew term is רֵעַ, which is here read as רַע, "evil."

learned in a Boraitha: Mena'hem went out from the service of the king, and there went out with him eighty pairs of disciples clothed in Syrian robes. Said R. Shaman bar Abba in the name of R. Johanan: Let a rabbinical decree concerning the Sabbath not be a light thing in thine eyes, for the laying on of the hand is only a rabbinical prohibition, and the greatest men of the different generations were divided upon this matter. Is this not self-evident? He comes to teach us that even a rabbinical prohibition which is seemingly contrary to a positive command of the Bible must also not be light in thine eyes. But this is also self-evident from the teachings of our Mishna? This is needed to object to those who say that they differ not as to the rabbinical prohibition, but as to the laying on of the hand itself, because they maintain that the laying on of the hand is necessary only in case of a voluntary peace-offering, but not in that of an obligatory peace-offering.*

Said Rami bar Hama: Infer from this that the laying on of the hands must be with all one's strength, because if we would imagine that all the strength is not necessary, what labor is it or what is he doing to the animal that the rabbis prohibited it on the festival?

An objection was raised: We have learned elsewhere: It is written [Lev. i. 2–4]: "Speak unto the children of Israel . . . and he shall lay his hand." *He*—the males, but not the females of Israel. R. Jose and R. Simeon, however, said that the females of Israel, if they wish, they may lay on their hands (although it is not obligatory for them); and R. Jose added to this: My father Elazar told me that it happened once that we had a calf of peace-offering, and we brought it to the department of the women, and the latter laid their hands on it. It was not because the laying on of the hands belongs to women, but so as to gratify them. Now, if you think that the laying on of the hand must be with all one's strength, would it be right, in order to gratify the women, to allow them to do labor with the holy things? Infer, therefore, from this that it is not necessary to use all the strength. Nay, maybe it *is* necessary, but in that case it was told to the women to lay on their hands lightly. If so, why does R. Jose say: Not because the laying on of the hands belongs to women, etc. Let him say, because it was not con-

* What is a voluntary and what is an obligatory peace-offering will be explained in Tract Mena'hoth.

sidered laying on at all? Said R. Ami: He meant both, firstly, because it was not considered laying on the hands at all; and, secondly, in order to gratify the women.

MISHNA: The House of Shammai say: A peace-offering may be brought without laying the hands on them, but not burnt-offerings. But the House of Hillel say: Both peace-offerings and burnt-offerings may be brought, and also lay the hands on them.

In the case of Pentecost, which falls upon the eve of a Sabbath, the House of Shammai say: The day for sacrificing is after the Sabbath. But the House of Hillel say: There is no day for sacrificing after the Sabbath. Both, however, admit that if it fall upon a Sabbath the day for sacrificing is the day after the Sabbath. And on that day (which is called the day of sacrificing) a high-priest is not to clothe himself in his costly garments, unless in case of a mourning or of a fast. The prohibition was in order not to confirm the words of those who say, Pentecost is after the Sabbath (only).

GEMARA: (The Gemara begins with the saying of R. Elazar in the name of R. Oshiyah, that the Pentecost-offering is transferable to all the six succeeding days, and repeats here all the statement contained in Tract Rosh Hashana, p. 6, lines 15–29.)

"*In the case of Pentecost which falls on the eve of a Sabbath*," etc. Does that not mean that there is no day at all for sacrificing? Nay, it means that a substituted day is necessary for this. But what does it come to teach us—that it shall be sacrificed on the very day of the festival? Was this not discussed already in the beginning of our Mishna? It is needed. For if the statement would be in the latter paragraph only, one might say that the School of Shammai hold so because it can be done on the morrow, but if it fall on the eve of a Sabbath, when it cannot be done on the morrow, they agree with the School of Hillel; and if the statement would be in the first paragraph only, one might say that the School of Hillel allow it to be sacrificed on the very day of the festival because it cannot be done on the morrow, but when the Pentecost falls on the Sabbath day, they agree with the House of Shammai; therefore both statements are needed. (An objection was raised:) Come and hear: He who has not kept the feast for the seven days of the Passover, and the eight days of the Feast of Tabernacles, and the first day of Pentecost, he cannot afterwards keep the

feast. Did this not include also the day of Pentecost, that it has no compensation? (*i.e.*, if not sacrificed on the very festival, it cannot be done so on any other day). Nay, it means the last day of compensation.

The disciples of R. Eliezer b. Jacob taught: It is written [Lev. xxiii. 21, 22]: "And ye shall proclaim." "And when ye reap." What is the feast in which thou makest proclamation and reapest? Thou must say, it is the Feast of Pentecost. Now, let us see. When is it? If I am to say on the holiday itself, how is reaping lawful on a holiday? We must then say, it means the completion days. Resh Lakish, however, said: It is inferred from the following passage [Ex. xxiii. 16]: "And the feast of the harvest." What is the feast on which thou feastest and reapest? Thou must say, it is the Pentecost. When is it? If I am to say, on the holiday itself, how is reaping lawful on a holiday? We must then say, it means the completion days. Said R. Johanan: According to thee, the Feast of Ingathering. What is the feast in which there is an ingathering? Thou must then say, it is the Feast of Tabernacles. When is it? Shall I say, on the holiday itself? How is work lawful on a holiday? And if you will say, that it means on one of the middle days? But even then is work allowed on those days? Therefore we must say, that it means the feast that falls during the time of the gathering in. Say, also, this is the case here.

We see from this that both are of the opinion that on the middle days the doing of work is forbidden. Whence do we deduce this? From the following Boraitha: It is written [Lev. xxiii. 8]: "No servile work shall ye do." That means, that on the middle days the doing of work is forbidden. So said R. Jose the Galilean. R. Aqiba says: It was not necessary, because it is written [ibid. 4]: "These are the feasts of the Lord," etc. With reference to what is the Scripture speaking? If to the first day, it has been already called a Sabbath day; if to the seventh day, it has also been already called a Sabbath day. We must therefore say, it refers to the middle days, to teach that doing of work is forbidden thereon.

There is another Boraitha: It is written [Deut. xvi. 8]: "Six days shalt thou eat unleavened bread, and on the seventh day shall be a solemn assembly to the Lord thy God: thou shalt do no work." As on the seventh day work is prohibited, so also on the six days. But one might say, as on the seventh day no work at all is to be done, so also on the six days; therefore it is

written [ibid.]: "And on the seventh day shall be a solemn assembly . . . thou shalt not work," thus indicating that on the seventh day no work at all shall be done, but on the six days there is not a prohibition from *all* work. Consequently, the Scripture has communicated only to the sages that they can decree on which days work is and on which work is not allowed, and what labor may and what labor may not be done, etc.

"*But it is allowed in case of a mourning or of a fast after the Sabbath.*" But have we not learned in a Boraitha: It happened that Alexis died in Luda, and all Israel assembled to mourn him, and R. Tarphon had not allowed them because it was the festival? Now, if it was the festival itself, how did they come to assemble at all? We must therefore say, it was on the day of sacrificing, and hence we see even on those days it is not allowed to mourn? The Mishna refers to a case when the Pentecost falls on a Sabbath. And the case of Alexis was when it fell on the first day of the week.

MISHNA: One may wash his hands for common food and for second-tithes and for heave-offerings, but for hallowed things they must be bathed legally. For the sin-offering, if one's hands be defiled, his whole body is defiled.

If he have dipped for common food, he has credit as clean for common food, but is forbidden tithe; if for tithe, he has credit for tithe, but not for heave-offering; if for heave-offering, he has credit for heave-offering, but not sacred things; if for sacred things, he has credit for sacred things, but not sin-offering. If for a weightier thing (more rigorous), he is free for a lighter thing (lenient). If he have dipped without any intention for cleanness, it is as though he had not dipped.

The garments of a common person are defiled by pressure (*i.e.*, are looked upon as affected by uncleanness arising from pressure) for Pharisees; the garments of Pharisees are defiled by pressure for those that eat heave-offering; the garments of those that eat heave-offering are defiled by pressure for those that partake of sacred things; the garments of those that partake of sacred things are defiled by pressure for those that partake of sin-offering. Jose b. Joezer was the most pious among the priests, and yet his apron was defiled by pressure for those that partake of sacred things. Johanan b. Gudgodah was one who ate his ordinary food all his days with observance of the laws of purification which belong to sacred things, and yet his apron was defiled by pressure for those that partake of sin-offering.

GEMARA: Is, then, for common food and tithes, washing of hands needed? (Have we not learned elsewhere that it is not needed?) This presents no difficulty: The one has to do with bread, the other with fruit. For R. Na'hman said: Every one who washes his hands for fruit is overscrupulous and affected.

"*He that dips for common food and has credit for common food*," etc. According to whom is our Mishna? Shall we say it is according to the rabbis, for they make a distinction between common food and tithes? According to whom, then, would be the latter part of the Mishna: The garments of a common person are defiled by pressure for Pharisees; the garments of Pharisees are defiled by pressure for those that eat heave-offering? which is certainly in accordance with R. Meir, who says, common food and tithes are exactly the same? Then this conclusion would be that the former part is according to the rabbis, and the latter part according to R. Meir? Yea, it is so. R. A'ha bar Ada, however, teaches in the latter part five orders, and establishes it all according to the rabbis.

CHAPTER III.

REGULATIONS REGARDING IN WHAT CASES SACRED THINGS ARE MORE RIGOROUS THAN HEAVE-OFFERINGS, AND VICE VERSA.

MISHNA: More rigorous rules hold in sacred things than in a heave-offering, for we may dip vessels in the midst of vessels for a heave-offering, but not for sacred things. The outside and the inside and the place for laying hold are reckoned as distinct in the heave-offering, but not in the sacred things. One who takes up that which has been made unclean by pressure, may offer the heave-offering, but not the sacred things. The garments of those that eat the heave-offering are unclean through pressure in regard to sacred things. The manner of the heave-offering is not as the manner of the sacred things. For in the case of sacred things, one loosens a knot and wipes and dips and afterwards ties up again, but in the case of a heave-offering he ties up and afterwards dips.

Vessels finished in purity need dipping for sacred things, but not for a heave-offering. The vessel includes what is within it for sacred things, but not for heave-offering.

The unclean in the fourth degree in the case for sacred things is disqualified, but in the third degree in the case of heave-offering.

Though one of his hands be unclean in the case of heave-offering, its fellow is clean; in the case of sacred things, however, both are dipped, for the hand makes its fellow unclean in the case of hallowed things, but not in the case of heave-offering. One may eat dry food with ordinary (not ceremonially clean) hands in the case of heave-offering, but not in the case of sacred things.

A mourner, before the burial of the dead (who has not defiled himself yet on the dead), and one who lacks atonement, need dipping in a legal bath for sacred things, but not for heave-offering.

GEMARA: "*In sacred things.*" Why are sacred things more rigorous? Said R. Aila: Because the weight of the inside vessel intervenes. Shall we assume, that as the reason for the

statement in the latter part of the Mishna is because of intervention, the first part has another reason? (For if both have one and the same reason, why state both? One would suffice.) Nay, both the earlier and the later cases are because of intervention, and still it was necessary that they should be separately mentioned, for if he had taught us the first only, one should say, *this* is the reason for the rigorousness of sacred things, viz.: because of the vessel's weight, which actually exists. But in the latter case, where the vessel's weight is not an element, one should say, in regard to sacred things, that it is not considered an intervention; and if he had taught us the latter only, one should say, the reason why it is not allowed for sacred things is because a knot in water is drawn tighter, while in the former case the water makes the vessel to swim, and so the intervention is not considered. Thus it was necessary that they should be separately mentioned. R. Aila is in accordance with his theory elsewhere, who said in the name of R. Hanina bar Papa: Ten degrees of superior excellence are taught here. The first five refer alike to sacred things, and to ordinary things which are treated with the observance of the law of purification belonging to sacred things; the latter refer to sacred things only. Why so? Because the former five could constitute a biblical defilement (when he dips one vessel in another vessel, and an intervention would be discovered). The rabbis have ordained that they apply to both. The later one, however, in which there can be no biblical defilement, the rabbis did not care to ordain.

Rabha, however, said: Since the later portion of the Mishna is on account of intervention, the former is not on that account, but because it is a precautionary measure, in order that needles and pipes should not be dipped in a vessel, the mouth of which is not of the size of the pipe of a wine-skin bottle. (This will be explained in Mikwooth, VI., 7.) And Rabha holds in this case, as R. Na'hman said elsewhere in the name of Rabba bar Abuhu, viz.: Eleven features of superior excellence are taught here. The first six refer alike to sacred things and to ordinary things which are treated with the observance of the laws of purification belonging to sacred things. The latter ones refer to sacred things only. What real difference is there between Rabha and R. Aila? It is this: In the case of a basket and a wine-strainer which are filled with vessels and dipped. According to the one who says, the prohibition is because of intervention, there is an intervention; but according to the one who says, that it is a

precautionary measure, lest haply needles and pipes should be dipped in a vessel, the mouth of which is not of the size of the pipe of a wine-skin bottle, there is no such thing in a basket and a wine-strainer.

"*The outsides and the insides*," etc. What is meant by this? As we have learned in a Mishna [Kelim, XXV., 6]: In the case of a vessel the outside of which is defiled by beverages, its outside is defiled, but its inside, its rim, and its short handles, and its long handles are clean; but if its inside is defiled, it is all defiled.

"*And the place for laying hold*," etc. What is meant by Beth Hazibtah? Said R. Jehudah in the name of Samuel: The part by which he reaches it, as it is written [Ruth ii. 14]: "And he *reached* her parched corn" (Vaitzboth). R. Asi in the name of R. Johanan said: It means that part of the dish of which fastidious persons lay hold.

"*One that takes up that which has been made unclean*," etc. Why not sacred things? Because of the following occurrence: R. Jehudah in the name of R. Samuel said: It happened to a certain man, who was carrying a cask of wine from one place to another, and the thong of his sandal came off, and he took it up and placed it on the mouth of the cask, and it fell into the inside of the cask, and it was made unclean. And thereupon it was ordained: One that taketh up that which has been made unclean by pressure may offer the heave-offering, but not the sacred things. If so, why not also the heave-offering? This is in accordance with R. Hananiah b. Aqabia, who said: This restriction was made only as regards Jordan or a ship, and in accordance with the matter that occurred. What was that? It was that which R. Jehudah said in the name of Rabh: It happened with a man who was carrying the sprinkling water and the ashes of the red cow over Jordan in a ship, and a piece of a dead body as large as an olive was found fixed in the bottom of the ship; thereupon it was ordained that such a thing should not happen again.

"*Vessels finished in purity*," etc. Finished by whom? If a learned man has finished them, why should they be dipped? If a learned man has finished them, how is it that the Mishna calls them "finished in purity"? Said Rabba bar Shila in the name of R. Mothnah quoting Samuel: The case is, that a learned man has finished, yet because of a drop of spittle of a common man which may have fallen upon it, it is treated as unclean. "May

have fallen upon it" when? Should we assume, before it is completed, then it is not yet a vessel; if after, then he takes good care of it? The case may be, before it is completed, yet perhaps at the moment it was made, it was still liquid (and it may be defiled).

"*The vessel includes what is within*," etc. Whence do we know that? Said R. Hanin: It is written [Num. vii. 14, etc.]: "One spoon of ten shekels of gold, full of incense." The Scripture makes everything that is in the spoon one. R. Kahana objected: We have learned, that R. Aqiba added to the teaching, which immediately follows, the flour and the incense, and the frankincense and the coals, for if the person, in the course of purification, touch the extremity of it, he disqualifies the whole. Now, this addition of R. Aqiba is certainly rabbinical, as the first part of the Mishna states (Edeoth, VIII., 1): R. Simeon b. Bathyra bore testimony with reference to the ashes of the red cow, that if an unclean person touch the extremity of them, he makes all of them unclean; and immediately he says, that R. Aqiba added this? (And R. Hanin says, it is rabbinical.) Said Resh Lakish in the name of Bar Kapara: The addition was only necessary for the rest of the meat-offering. For, biblically, what stands in need of a vessel, the vessel includes it; what does not stand in need of a vessel, the vessel does not include it; but the rabbis went further and ordained that, although a thing does not necessarily belong to a vessel, the vessel, nevertheless, includes it.

"*The unclean in the fourth degree*," etc. We have learned in a Boraitha: R. Jose said: Whence do we deduce the case of the unclean in the fourth degree, that in the matter of sacred things he is disqualified? By an *a fortiori* argument. For he who has entered on the last stage of his atonement, while he is free as regards heave-offering, he is disqualified as regards sacred things, so much the more when one is unclean in the third degree who defiles heave-offering that he should become disqualified as regards sacred things if unclean in the fourth degree. We have learned, however, that he who is unclean in the third degree is disqualified as regards sacred things, biblically, and that he who is in the fourth degree—by an *a fortiori* argument, namely: It is written [Lev. vii. 9]: "And the flesh that toucheth any unclean thing shall not be eaten." Are we not here treating of the touching of a thing of secondary uncleanness? And nevertheless the Scripture says, it shall not be

eaten? That which is unclean in the fourth degree is proved to be disqualified by the *a fortiori* argument stated above.

"*And though one of his hands be unclean.*" R. Shezbi said: It is only in the case of contact, but not otherwise. Abayi objected: We have learned: A wiped hand renders its fellow unclean so far as to make unclean for sacred things, but not for heave-offering. Such is the dictum of Rabbi. R. Jose b. R. Jehudah says: This is the case so far as to disqualify, but not to render unclean. It is correct if the Mishna treats of a case where it did not come in contact, and therefore the importance of "wiped" hand? But if the case is only when there is contact, but not otherwise, where is the importance of "wiped" hand? It was taught also that Resh Lakish said the Mishna refers only to his own hand, but not to the hand of his companion (R. Johanan, however, says both his own hand and his companion's hand), with the same hand he may only disqualify, but not render unclean. Whence did he learn this? From the fact that it has been taught in the latter portion of the Mishna. For the hand makes its fellow unclean in the case of sacred things, but not in the case of heave-offering. Why the repetition? Was it not taught in the preceding clauses of the same Mishna? We must therefore say, it comes to teach us that the hand of the companion is included. And Resh Lakish himself retracted his decision, as R. Jonah said in the name of R. Ami that Resh Lakish said, whether it be his own hand, or the hand of his companion, with that same hand he may disqualify, but not render unclean.

"*We may eat dry food,*" etc. We have learned in a Boraitha: R. Hanina b. Antigonus said: Does such a question as to whether a thing be dry or wet exist as regards sacred things? Does not love for the sacred things make men cautious in regard to defilement? The Mishna treats of a case, that a man's companion put a piece of the sacred things into his mouth, or he put it into his own mouth with a spindle or with a skewer, or attempted to eat along with these an onion or garlic taken from unconsecrated things. As to sacred things the rabbis ordained so, but as to heave-offering they did not.

"*The mourner and he who lacks atonement.*" Why so? Because they were under restriction, the sages ordained that they shall dip.

MISHNA: More rigorous rules, on the other hand, hold in a heave-offering, for in Judea people are believed with regard to

purity of wine and oil all the days of the year, but at the time of the vintage and the oil-pressing, with regard to heave-offering also.

When the vintage and the oil-pressing are over, and a cask of wine for heave-offering was brought, it must not be received, but it may be left for the next vintage. But if he say to him, I have separated and put into the midst of it a fourth part of something consecrated for sacred things, he is believed. In the case of jugs of wine and jugs of oil which are mixed, men are believed with regard to them at the time of vintage and oil-pressing and for seventy days before the vintage.

GEMARA: In Judea, yes; but in Galilea, no? Why so? Said Resh Lakish: Because there is a strip of the Gentiles making a separation between them. But let him bring it in a box, a chest, or in a balloon? This is in accordance with Rabbi, who said: A tent projected is not a real tent. But let one bring it in an earthenware vessel tied round with a line of thread? Said R. Eliezer: We have learned in a Boraitha: Sacred things are not preserved from uncleanness by a line of thread.

"*But at the time of vintage*," etc. There is a contradiction from the following Boraitha: He who finishes his olives shall leave aside one box and place it before the eyes of the priest (in order that he shall examine it as to whether they are not ripe yet, and the priest shall place them in cleanness when they become ripe. Hence we see that even at that time they were not believed?) Said R. Nahman: This presents no difficulty. The one is the case of those early in season, the other of those late in season. Said R. Ada bar Ahba to him: For instance, things like those belonging to the house of thy father. R. Joseph, however, said, the Mishna (in Taaroth) refers to Galilea.

"*When the vintage and the oil-pressing are over*," etc. The schoolmen questioned of R. Shesheth: Suppose that it is over, and yet he receives it, what about the law that he shall leave it for the next vintage? He answered them: This we have already learned in the following Mishna (Dmai, VI., 1): A learned man and a common person who are their father's joint heirs. The common person may say to him: Take thou the wheat that is in such a place, and I will take the wheat that is in such a place; take thou the wine that is in such a place, and I will take the wine that is in such a place. But he may not say to him: Take thou the liquid and I will take the dry; take thou the wheat and I will take the barley. And in regard to this we have

learned: That same learned man burns the liquid and leaves the dry. Why? Let him leave it for the next vintage? It may be one of the things that have no vintage. But let him leave it for one of the feasts? It may be one of the things which will not keep till the feast.

"*But if he say, I have separated for sacred things, he is believed.*" We have learned in a Mishna (Choloth, XVIII., 4): Both the School of Shammai and the School of Hillel agree that we are to investigate a field in which a person is buried for those who are to bring the paschal lamb, but not for those who desire to eat heave-offering. What is the meaning of investigate? Said R. Jehudah in the name of Samuel: A man blows upon the unclean land as he walks along.* And R. Hyya bar Abha in the name of Ula said: An unclean place of this sort that is trodden is clean for those who bring their paschal lambs; as it is a case of Kareth, they did not insist upon their decisions, but for those who desired to eat heave-offering, they did insist on their decisions, as it is a case of death penalty (by Heaven).

"*In the case of vessels of wine,*" etc. There is a Boraitha: They are not believed, either about the cans or about the heave-offering. Cans belonging to what? If they belong to sacred things, then if he is believed about the sacred things, he is believed also about their cans? If the cans belonging to heave-offerings are meant, then it is self-evident. About heave-offering he is not believed—shall he be believed about cans that belong to it? It is a case of sacred cans which are empty, and it is during the remaining days of the year. And the same is the case of those full of heave-offering, and at the time of the vintage they are believed. (And although no precautionary measure was ordained as to their heave-offering, in order not to cause any loss to the priests, still they were not believed as to the cans, and the priests receive from them the heave-offering with the cans, but place the heave-offering in other cans of their own.)

"*For seventy days before the vintage.*" Abayi said: Infer from this that the law is, that the farmer shall go up to dip the casks seventy days before the time of the presses.

MISHNA: From Modiim and inwards men are believed with

* *I.e.*, one who is on the way, bringing the paschal lamb, and comes across a field in which a human body was buried, he may examine it by blowing as he walks along; and if there is a bone of the size of a barley, and he notices it and avoids to walk over it, he does not contract uncleanness, as it does not communicate uncleanness unless by contact.

regard to earthenware vessels; from Modiim and outwards they are not believed. How so? The potter who is selling the pots goes inwards from Modiim. That is the potter, and those are the pots, and those are the buyers. He is believed. If he goes out he is not believed.

GEMARA: We have learned in a Boraitha: The place of Modiim itself is sometimes considered within and sometimes without. How so? When the potter goes out, and the merchant goes in, it is considered within. Both go in, or both go out, it is considered without. Said Abayi: We have learned the same in our Mishna, viz.: The potter who sells the pots and goes *inwards* from Modiim. What about Modiim itself? Is it not believed? Then how is the latter part: When he goes out he is not believed? From this we may infer that Modiim itself is believed. Hence the case is as stated in the Boraitha. Infer therefrom.

MISHNA: The tax collectors who have gone into the midst of a house, and so too the thieves that have restored the vessels, are believed when they say: We have not touched. And in Jerusalem they are believed as regards sacred things, and at the time of a feast as regards heave-offering also.

GEMARA: There is a contradiction from the following Boraitha: In the case of the tax collectors who have gone into the midst of the house, the whole house is unclean? There is no difficulty. The one is when there is a Gentile with them; the other is when there is not a Gentile with them. For there is another Mishna: If there is a Gentile with them, they are believed when they say, We did not enter; but they are not believed when they say, We entered, but we did not touch. And if there is a Gentile with them, what of it? R. Johanan and R. Elazar: One says that they fear that the Gentile should not punish them, and the other says that they fear that the stranger should not give them away to the government. What is the difference between them? A Gentile who is not of importance.

"*And so too the thieves*," etc. There is a contradiction from the following Boraitha: In the case of the thieves who have gone into the midst of the house, only the place where the thieves' feet trod is unclean. Said R. Pinhas in the name of Rabh: They are to be believed only in the case they have repented. It seems that our Mishna intended the same thing, for the statement is: Who have restored the vessels. Infer from this.

"*And in Jerusalem they are believed*," etc. We have learned in a Boraitha: They are believed as regards large earthen vessels for sacrifice. And the reason is, because they do not make ovens in Jerusalem.

"*And at the time of the feast*," etc. Whence is this deduced? Said R. Joshua b. Levi: Because it is written [Judg. xx. 11]: "So all the men of Israel were gathered against the city, associated together as one man." The Scripture makes them all equal.

MISHNA: One that opens his cask, and one that commences his dough at the time of a festival, R. Jehudah says: He shall finish it, but the sages say he shall not.

GEMARA: R. Ami and R. Itz'hak of Naph'ha sat at the portico of the latter. One began and said: According to the sages, may he keep it for another festival? He answered: Every one's hand has been handling it, and dost thou say, he shall keep it for another festival? He said to him: But hitherto as well, has not every one's hand been handling it? He rejoined: What comparison is that? Hitherto the uncleanness of a common person in a festival, the Law makes him clean, but now it is a case of uncleanness.

MISHNA: As soon as the festival is over, they make them pass on to the cleansing of the court. But if the festival is over on a Friday, they do not make them pass on, on account of the honor of the Sabbath. R. Jehudah said: Also not on Thursday, for the priests are not at leisure.

GEMARA: And the Boraitha adds: That the priests are not at leisure because of the removing of the fat.

MISHNA: How is that made out, that they make them pass on to the cleaning of the court? They dip the vessels which were in the Temple, and say to them: Be ye clean that ye touch not the table. All the vessels that were in the Temple had second and third sets, so that if the first became unclean they might bring the second instead of them. All the vessels which were in the Temple were subject to dipping, except the altar of gold and the altar of bronze, because they were like the floor. Such is the dictum of R. Eliezer. But the sages say, because they were overlaid.

GEMARA: We have learned in a Boraitha: Be ye clean lest ye touch the table or the candelabrum. Why did our Mishna not mention the candelabrum? Because the table is called in the Scripture perpetual; the candelabrum is not perpetual.

Resh Lakish said: It is written [Lev. xxiv. 6]: "Upon the pure table." From this it may be inferred that it may be defiled. Why? Is it not a vessel of wood made to rest, and as such is not subject to defilement? Infer from this that the table was raised up and exhibited the shewbread on it to the pilgrims, and they were told: See how beloved you are before the Lord, that the shewbreads are as warm now as they were when placed on the table. For R. Joshua b. Levi said: A great miracle was wrought in the shewbread. As its placing was miraculous so was its end, for it is written [1 Sam. xxi. 7]: "So as to put down hot bread on the day when it was taken away." It is written [Ezek. xli. 22]: "The latter was of wood, three cubits high, and its length was two cubits, and its corners and its top-piece and its walls were of wood, and he spoke unto me: This is the table that is before the Lord." He began with "altar" and he ended with "table." R. Johanan and Resh Lakish both say: At the time that the Temple was set up an *altar* made atonement for a man; now a man's *table* makes atonement for him.

"*All the vessels that were in the Temple had second and third sets*," etc. The altar of bronze, because it is written [Ex. xx. 21]: "An altar of earth shalt thou make unto me." The altar of gold, because it is written [Num. iii. 31]: "The candlestick and the altars." The altars are placed in comparison one with the other.

"*Because they are overlaid.*" On the contrary, since they are overlaid they may become unclean. Said the rabbis to R. Eliezer: Why do you think them capable of defilement, because they are covered over? Their covering is of no avail in respect of them.

R. Abuhu in the name of R. Eliezer said: As to the scholars, the flame of Gehenna has no power over them. For this is shown by an *a fortiori* argument drawn from the salamander. As only the creature of fire, and still he that anoints himself with its blood, flame has no power over him, how much more then that the flames have no power over the scholars, whose whole body is fire, as it is written [Jer. xxiii. 29]: "Is not thus my word like fire? saith the Lord." Resh Lakish said the flame of Gehenna has no power over the transgressors of Israel, as is shown by an *a fortiori* argument from the altar of gold. For the altar of gold, upon which is only about the thickness of a denarius of gold, it lasted so many years and was not affected by fire; how

much less can flame have power over the transgressors of Israel, who are full of the commandments as a pomegranate is full of seeds, as it is written [Song of Songs iv. 3]: "Like the half of a pomegranate is the upper part of thy cheek," etc. Read not "the upper part of thy cheek," but "the vain fellows that are in thee."

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